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Casey Leigh Boyles
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**Power Consolidation in Turkey:
Erdogan's End Goal**

**APPROVED BY
SUPERVISING COMMITTEE:**

Supervisor:

Jason Brownlee

Kamran Scot Aghaie

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Casey Leigh Boyles

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Abstract

Power Consolidation in Turkey: Erdogan's End Goal

Casey Leigh Boyles, M.A

The University of Texas at Austin, 2018

Supervisor: Jason Brownlee

Since the AKP came to power under the leadership of Recep Tayyip Erdogan, historical paradigms of power have shifted in Turkey. Whereas power was previously effectively dispersed into several institutions that competed in a system with checks and balances, the current Turkish political system no longer contains traditional restraints on executive power. The former parliamentary system has been transformed under the tutelage of the AKP and the 2017 constitutional referendum into an executive-style presidential system which eroded key competing institutions for power. Institutions such as the parliamentary system, the judiciary, and the military previously constrained executive power, but today their capacities to offer checks to the executive have eroded to the point of being ineffective. Under President Erdogan, the AKP has transformed the Turkish political system and consolidated power in a manner unprecedented in the modern history of the republic. From a razor-thin majority of the popular vote, the AKP utilized state institutions to fundamentally reshape the Turkish political system to ensure their political survival and to keep President Erdogan in power for the foreseeable future.

This paper analyzes the impact of Erdogan's concentration of power on the Turkish political system. At the core of this analysis are two issues: the use of state institutions to consolidate power, and the characterization of these changes, both domestically and abroad. How does Erdogan utilize state institutions to systematically consolidate executive power in Turkey and how does this inform the broader study of authoritarian regimes? Drawing upon theories of authoritarianism and contemporary literature on Turkey, this paper explores how Erdogan consolidates power in the presidency using EU-endorsed reforms, constitutional referendums, and purges and how he reconstructs basic paradigms in civil-military relations in Turkey in his role as commander-in-chief. As this paper demonstrates, "democratic" reforms in Turkey were weaponized to erode competing institutions for power and to eliminate potential checks on the executive.

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CHAPTER 1: INTRODUCTION

Since the AKP came to power under the leadership of Recep Tayyip Erdogan, historical paradigms of power have shifted in Turkey. Whereas power was previously effectively dispersed into several institutions that competed in a system with checks and balances, the current Turkish political system no longer contains traditional restraints on executive power. The former parliamentary system has been transformed under the tutelage of the AKP and the 2017 constitutional referendum into an executive-style presidential system which eroded key competing institutions for power. Institutions such as the parliamentary system, the judiciary, and the military previously constrained executive power, but today their capacities to offer checks to the executive have eroded to the point of being ineffective. As evidenced in the failed coup attempt in 2016, the government withstood a coup attempt by the military and instigated a popular uprising that ultimately defeated the soldiers in the streets.

Under President Erdogan, the AKP has transformed the Turkish political system and consolidated power in a manner unprecedented in the modern history of the republic. Critically, Erdogan and the AKP have initiated these changes while winning the support of only half the public. Despite increasing its electoral margins of victory and enjoying a majority in parliament since 2002, the AKP's best electoral performance was in 2011 when the party won 49.8 percent of the vote.¹ In the 2014 presidential election, the first to feature direct election by the people, Prime Minister Erdogan netted 51.7 percent of the vote,² and this remains the singular electoral victory to crack the elusive fifty percent mark. From a razor-thin majority of the popular vote, the AKP utilized state institutions to fundamentally

¹ Soner Cagaptay, *The New Sultan: Erdogan and the Crisis of Modern Turkey* (New York: I.B. Tauris & Co. Ltd, 2017), 192.

² Steven A. Cook. "How Erdogan Made Turkey Authoritarian Again." *The Atlantic*, July 21, 2016.

reshape the Turkish political system and to keep President Erdogan in power for the foreseeable future. As part of ensuring their political survival, the AKP and Erdogan have concentrated power in the executive and have stripped rival branches of the government and the military of powers that could create obstacles in their path. Following the passing of the 2017 constitutional referendum, Erdogan formally assumes a series of offices with newly vested powers including president (in an executive-style presidency) and commander-in-chief (in direct control of the Turkish Armed Forces).

This paper analyzes the impact of Erdogan's concentration of power on the Turkish political system. At the core of this analysis are two issues: the use of state institutions to consolidate power, and the characterization of these changes, both domestically and abroad. How does Erdogan utilize state institutions to systematically consolidate executive power in Turkey and how does this inform the broader study of authoritarian regimes? Drawing upon theories of authoritarianism and contemporary literature on Turkey, this paper explores how Erdogan consolidates power in the presidency and how he reconstructs basic paradigms in civil-military relations in Turkey in his role as commander-in-chief. This paper discusses power consolidation as a lateral transfer of authorities from multiple competing institutions for power into a singular domain, in this case the executive, that manifests in distinct structural shifts that exceed changes in norms of political power. Since coming to power in 2003, Erdogan has held two positions in the executive: prime minister and president, and his efforts to transform the Turkish political system both redefined those roles and collapsed their authorities into an executive-style presidency.

Under Erdogan's leadership, the AKP has consolidated power in the executive from the parliamentary system, the judiciary, and the military by systematically exploiting three methods of change: European Union-endorsed reforms, constitutional referendums, and purges, to increase their political power and to weaken checks and balances on the

government. Successive electoral victories and the ten-percent national threshold in elections for opposition parties to earn seats give the AKP lopsided and unrepresentative majorities in parliament, which the party has interpreted as *carte blanche* to enforce their agenda. Early efforts to bring the military under civilian control were strongly encouraged by the European Union as part of Turkey's candidacy for EU membership, without taking into consideration the possible consequences of eroding the independence of the Turkish Armed Forces.

At its core, Erdogan's voting base is largely made up of conservatives and political Islamists boosted by the economic growth delivered by the AKP since 2003. All other segments of the Turkish electorate: secularists/Kemalists, liberals, social democrats, leftists, and Kurds, have been demonized and played off of each other to divide the opposition.³ As the country grows more polarized under Erdogan's particular style of suppressing opposition, the pro-Erdogan and opposition camps continue to fight for the majority in elections, and the tight margin of victory for the "yes" vote in the 2017 constitutional referendum reinforces both the extreme polarization and the necessity for Erdogan to utilize every state institution at his disposal to repress the opposition and to ensure his political survival.

The combined effect of this convergence is a Turkish political system that has hollowed out its traditional Kemalism core and has concentrated power in a single party and single leader at levels unprecedented since the introduction of a multiparty system in Turkey in 1950. Key institutions that once checked executive power are no longer capable of withstanding Erdogan's agenda. Principally, this paper focuses on the parliamentary system, the judiciary, and the military as institutions competing with the executive for

³ Soner Cagaptay and Oya Rose Aktas. "How Erdoganism Is Killing Turkish Democracy." *Foreign Affairs*, July 7, 2017.

power. According to Soner Cagaptay, Director of the Turkish Research Program at the Washington Institute, Turkey has historically had three checks on government power: the courts, the media, and the military,⁴ whereas, Berk Esen and Sebnem Gumuscu argue the military and judiciary are the two veto powers entrenched in the Turkish political system.⁵ The scope of this paper reflects the analysis of both authors, however it focuses on the judiciary and the military as well as the parliamentary system to demonstrate the steps taken to consolidate power both into the executive and within the executive. This paper will not address the Erdogan and the AKP's concentration of power with relation to the media.⁶

As historical checks on government power, the judiciary and the military played a role in removing several previous governments. The building blocks of the 1997 “soft coup,” which removed a coalition government led by an Islamist party, were the military and the high courts.⁷ More broadly, “the AKP’s genealogy included four parties that had been closed as a result of either a coup or a court order, and Erdogan was determined to never allow his party to meet the same fate.”⁸ The key institutions representing checks and balances on government power were significant not only because of their utility in characterizing the Turkish political system, but also because they functioned as a target list for Erdogan and the AKP once they came to power. Their political survival depended on their capacity to placate or weaken the institutions capable of overthrowing them and this informed their efforts to undermine the judiciary and the military.

⁴ Cagaptay, *The New Sultan*, 126.

⁵ Berk Esen and Sebnem Gumuscu. “Turkey: How the Coup Failed.” *Journal of Democracy* 28, no. Number 1 (January 2017): 60.

⁶ For more on Erdogan and the media, see: *Media in New Turkey: The Origins of an Authoritarian Neoliberal State* by Bilge Yesil.

⁷ Cagaptay, *The New Sultan*, 120.

⁸ Cook, “How Erdogan Made Turkey Authoritarian Again.” *The Atlantic*, July 21, 2016.

Currently, the discussion of authoritarianism in Turkey exists in several separate spheres. Among authors in comparative politics, there is a debate about the larger trends in authoritarianism and whether specific countries represent a global backsliding of democracy. Larry Diamond argues, in contrast to Steven Levitsky and Lucan Way, that several countries represent the beginning of decline in global democracy and that Turkey in particular shows “a stunning and increasingly audacious concentration of personal power [by Erdogan] ... The abuse and personalization of power and the concentration of competitive space and freedom in Turkey have been subtle and incremental, moving with nothing like the speed of Putin in the early 2000s. But by now, these trends appear to have crossed a threshold, pushing the country below the minimum standards of democracy.”⁹ Levitsky and Way counter that a systematic breakdown of authoritarianism in the 1990s after the demise of communism was commonly conflated with democratization, and this misperception falsely leads to claims of democracy backsliding.¹⁰

More recently, Levitsky and Ziblatt argue Turkey exemplifies democratic breakdown caused not by generals but by elected leaders who “subvert the very process that brought them to power.”¹¹ Furthermore, “Since the end of the Cold War, most democratic breakdowns have been caused not by generals and soldiers but by elected governments themselves. Like Chavez in Venezuela, elected leaders have subverted democratic institutions in Georgia, Hungary, Nicaragua, Peru, the Philippines, Poland, Russia, Sri Lanka, Turkey, and Ukraine. Democratic backsliding today begins at the ballot box.”¹² Principally, this body of scholarship characterizes Turkey along the democratic-

⁹ Larry Diamond. “Facing Up to the Democratic Recession.” *Journal of Democracy* 26, no. 1 (2015): 146.

¹⁰ Steven Levitsky and Lucan Way. “The Myth of Democratic Recession.” *Journal of Democracy* 26, no. 1 (2015): 49.

¹¹ Steven Levitsky and Daniel Ziblatt. *How Democracies Die*. New York: Crown, 2018, 3.

¹² Levitsky and Ziblatt, *How Democracies Die*, 5.

authoritarian spectrum and includes references to Turkey as “competitive authoritarianism”¹³ or “electoral authoritarianism,”¹⁴ and uses Turkey as evidence of larger trends in authoritarianism.

The work of Diamond and Levitsky and Way is cited in Soner Capagtay’s *The New Sultan*, a book that arises out a second body of literature: the writings of scholars on Turkey. Capagtay along with Steven Cook of the Council on Foreign Relations write prolifically in response to daily events in Turkey and this literature more narrowly focuses on explaining changes in Turkey within the context of its history and political, social, and cultural paradigms. This paper seeks to bridge the gap between the theoretical debates on authoritarianism and the timely writings responding to events in Turkey to explore the manner in which the Turkish political system has evolved since the AKP came to power in 2002. While principally focused on Turkey, the implications of the Turkish case inform the broader study of authoritarianism. The Turkish example demonstrates how “democratic” reforms were weaponized to erode competing institutions for power and to eliminate potential checks on the government. In appearing to democratize, as discussed at length in the literature published in the early AKP years on the “Turkish model” for democracy in the Middle East,¹⁵ the AKP actually moved to diminish the political influence of the military, thereby reducing the military’s capacity to unseat their government.

The structure of this paper is as follows: first, Chapter 2 details how Erdogan shifted authorities from the parliamentary system (including the executive and legislative

¹³ Berk Esen and Sebnem Gumuscu. “Rising Competitive Authoritarianism in Turkey.” *Third World Quarterly* 37, no. 9 (September 1, 2016): 1581–1606.

Steven Levitsky and Lucan Way. *Competitive Authoritarianism: Hybrid Regimes After the Cold War*. New York: Cambridge University Press, 2010.

¹⁴ David White and Marc Herzog. “Examining State Capacity in the Context of Electoral Authoritarianism, Regime Formation and Consolidation in Russia and Turkey.” *Journal of Southeast European & Black Sea Studies* 16, no. 4 (December 2016): 551–69.

¹⁵ Altunisik, Meliha Benli. “The Turkish Model and Democratization in the Middle East.” *Arab Studies Quarterly* 27, no. 1/2 (2005): 45–63.

branches) and the judiciary into the executive. Chapter 3 examines how Erdogan systematically eroded the political influence of the military, ultimately built a government that could withstand a coup attempt, and fundamentally reordered civil-military relations to bring the military under direct civilian rule and to create a position as commander in chief. The final chapter summarizes the consolidation of power conducted by Erdogan through EU reforms, constitutional referendums, and purges and highlights the need to reexamine “democratizing” characterizations of Erdogan’s early steps to bring the Turkish Armed Forces under civilian control.

Chapter 2: Mr. President

Recep Tayyip Erdogan has ruled Turkey since 2003, first as prime minister and currently as president. Under his leadership the parliamentary system in which he first came to power has been transformed into a presidential system formerly unknown in the history of the Turkish Republic. As the Justice and Development Party, the AKP, won successive parliamentary elections in 2002, 2007, and 2011, the AKP grew to dominate Turkish politics and its charismatic party leader occupied the country's highest political office for eleven-and-a-half years. According to Turkey's parliamentary system, as head of the majority party Erdogan was prime minister and head of the government, but not head of state as that role was delegated to the president, a figure often described as "ceremonial."¹⁶ The president has traditionally held limited executive power in comparison to the prime minister, however the presidency is the most coveted position in the Turkish system because it was the office held by Ataturk.¹⁷ Constrained by term limits under Turkish law and nearing the conclusion of his third term as prime minister, Erdogan announced he was running for president in the 2014 election and promptly won 52 percent of the vote.¹⁸

Prior to the 2014 presidential election, the president was chosen by parliament, and the people did not directly elect their head of state. After a period of deadlock between the Turkish Armed Forces and the AKP over their nomination of Foreign Minister Abdullah Gul for President in 2007, early elections helped AKP win a landslide victory and they succeeded in naming Abdullah Gul as President of Turkey. Later that year, a constitutional referendum was held to introduce direct presidential election by popular vote and thereby

¹⁶ "Erdogan: Turkey's Pugnacious President." *BBC News*, April 17, 2017.

¹⁷ Cagaptay, *The New Sultan*, 140.

¹⁸ Steven A. Cook. "Turkey's Identity Crisis." *The Atlantic*, June 25, 2017.

prevent future parliamentary deadlocks over presidential elections.¹⁹ When it passed, it also amended the presidential term from seven years to five years and allowed the re-election of a president for a second term. Given that President Gul has just been elected to a seven-year term, the first presidential election under the new system took place in 2014 and despite the Constitutional Court ruling in favor of President Gul's eligibility to run for a second, five-year term, he stepped aside for Erdogan.²⁰

This 2007 constitutional referendum changes allowed Erdogan to become the first directly elected President of Turkey and to increase the legitimacy of the office through its newfound connection to the popular vote. At the height of his popularity in 2014, Erdogan won over 50 percent of the vote in the first ballot, thereby avoiding an anticipated second round.²¹ As Erdogan assumed his new role as head of the state, thereby surrendering his position as head of the party and head of the government, the question arose as to the extent to which his informal power and prestige accumulated during his tenure as prime minister would transfer to his new role which offered drastically fewer formal authorities.²²

The steps taken by Erdogan to reconstruct the power of the office of the presidency challenged basic paradigms and structural aspects of the Turkish Republic and reshaped the political order from a parliamentary system into an executive-style presidency where the offices of the prime minister and presidency collapsed into one. How did Erdogan and the AKP systematically consolidate power from the prime ministry, parliament, and judiciary into the office of the presidency? And how did they succeed in consolidating power from institutions designed to offer checks and balances to executive power? The

¹⁹ Serdar Karagoz. "The 2017 Constitutional Referendum in Turkey." Daily Sabah Centre for Policy Studies, April 2017, 5.

²⁰ Cagaptay, *The New Sultan*, 140.

²¹ Cagaptay, *The New Sultan*, 141.

²² Steven A. Cook. "Recep Tayyip Erdogan: Turkey's Executive President." Council on Foreign Relations, January 17, 2017.

AKP eroded a system of checks and balances to consolidate power under President Erdogan by incrementally weakening the independence of the judiciary through reforms and purges and by systematically formulating packages of constitutional amendments that would formally undermine the separation of powers. The long-term campaign using state institutions to consolidate power altered all branches in the Turkish political system and began under the EU-endorsed “democratic” reforms enacted early in the AKP’s tenure as the ruling majority party. These efforts were successful due in part to widespread and increasingly systemic repression that escalated to the levels witnessed since the 2016 failed coup attempt that affected military officers, members of parliament, judges, teachers, civil servants, and university faculty. After fifteen years in power, the political system under President Erdogan has undergone a massive transformation and no longer resembles the political system he inherited in 2003.

This chapter argues President Erdogan and the AKP utilized and manipulated the 2017 constitutional referendum to formally restructure the Turkish Republic and to consolidate power from the executive, legislative, and judiciary branches of the government into the office he holds, the office of the presidency. Collectively, the constitutional amendments endorse an executive presidency system designed with the continued rule of President Erdogan and the AKP in mind. Critically, these changes appear tailored to the rule of President Erdogan and the AKP. His success in implementing an executive-style presidency achieves one of Erdogan’s end goals and helps to define the legacy he has crafted.

CAMPAIGNING FOR CHANGE

Despite winning successive elections and undermining competing institutions for power, the AKP and Erdogan have some limits to their control over a political system in which the AKP has failed to carry 50 percent of the popular vote in any election. Soner Cagaptay characterizes the problem of Erdoganism as “although half of Turkey adores Erdogan, the other half loathes him. Since Erdoganism delegitimizes all the opposition, 40 million of Turkey’s 80 million inhabitants are left on the outside.”²³ This extreme polarization partly explains the need for the AKP to build its voting base by creating coalitions with other political groups: the Gulenists, the Kemalists, or any group capable of generating sufficient public support for AKP to enact their agenda. In the absence of an absolute majority, the AKP and Erdogan must operate within the political system and manipulate it to achieve their goals.

The long campaign to establish an executive-style presidency enacted under a package of constitutional reforms demonstrates how the AKP and Erdogan consolidate their power despite systemic constraints. In an October 2011 announcement, then Prime Minister Erdogan stated that Turkey would have a new constitution within a year, however by 2013, the interparty parliamentary committee tasked with writing the new constitution was deadlocked.²⁴ Despite winning the 2011 parliamentary election by their highest margin to date, the AKP faced sufficient parliamentary opposition to their proposed constitutional reforms and Erdogan was forced to refocus his strategy. Instead of writing a new document as an interparty parliamentary committee, “Erdogan set his sights on a constitution written by the AKP. In order to get it passed, however, he needed to reinforce his parliamentary

²³ Soner Cagaptay and Oya Rose Aktas. “How Erdoganism Is Killing Turkish Democracy.” *Foreign Affairs*, July 7, 2017.

²⁴ Steven A. Cook. “RIP Turkey, 1921 – 2017.” *Foreign Policy*, April 16, 2017.

majority.”²⁵ When the two general elections in 2015 failed to secure for AKP the necessary 367 seats out of the 550-member parliament to allow the party to ratify a constitution without the public’s input, Erdogan settled for amending the constitution by means of a constitutional referendum.²⁶

When voters cast ballots in the April 2017 constitutional referendum, their input reflected the limited but not total control the AKP and Erdogan held over the Turkish political system. Whereas they aspired to ratify a new constitution of their own design, after facing setbacks in parliamentary deadlock and insufficient parliamentary majorities, Erdogan maneuvered to keep the aspiration of an executive-style presidency alive and settled for a constitutional referendum. The achievement of a formal restructuring of executive power was made possible by vast repressive measures against the “no” campaign to manipulate the referendum. As part of the “yes” campaign, Erdogan “harnessed the power of the state to crush the Noes,”²⁷ and targeted a main proponent of the “no” campaign: Selahattin Demirtas. In 2015, Mr. Demirtas, co-leader of the pro-Kurdish HDP party, told Erdogan that he would never get his new constitution and Erdogan responded by disowning the peace process and thereby ending a two-year ceasefire with the PKK. During the run-up to the 2017 constitutional referendum, Mr. Demirtas was arrested on terror charges that carry a potential sentence of 142 years in prison. A Kurdish-language song supporting the “no” campaign was banned and campaign coverage on national television channels devoted 90 percent of airtime to the “yes” campaign.²⁸

While limited by less-than-absolute parliamentary majorities and a support base of only roughly half the country, Erdogan and the AKP have succeeded in fundamentally

²⁵ Cook, “RIP Turkey, 1921 – 2017.” Foreign Policy, April 16, 2017.

²⁶ Cook, “RIP Turkey, 1921 – 2017.” Foreign Policy, April 16, 2017.

²⁷ “The Vote That Will Determine the Fate of Turkey’s Democracy.” *The Economist*, April 15, 2017.

²⁸ “The Vote That Will Determine the Fate of Turkey’s Democracy.” *The Economist*, April 15, 2017.

undermining the balance of powers embedded in the political system through a combination of constitutional amendments systematically eroding competing institutions, repression, and mass purges of the judiciary. Despite utilizing the full power of the state to manipulate the 2017 constitutional referendum, the “yes” vote only passed by a small margin. When the changes come into effect in 2019, Erdogan and the AKP will have even more resources at their disposal to push through their agenda and even fewer institutions capable of challenging them.

RESTRUCTURING THE REPUBLIC

The “yes” and “no” campaigns regarding the 2017 constitutional referendum painted very different pictures of the Turkish Republic. According to the AKP, the proposed amendments would protect Turkey from the sort of fractious coalition politics that hampered the nation’s growth in the 1990s, both in terms of its economy and its position as a preeminent regional power.²⁹ Opponents to the changes warned of growing authoritarianism and autocracy with power concentrated in one person, President Recep Tayyip Erdogan.³⁰ When the “yes” campaign prevailed with 51.3 percent of the vote, the effect was a significant expansion of the powers of the nation’s top office and a transformation of the Turkish Republic from a parliamentary system to an executive presidency.³¹

While maintaining elements of democratic governance such as a popularly elected president and parliament and a formally independent judiciary, the new political system in reality represents a dismantling of existing checks and balances within the system and an

²⁹ Orhan Corskun and Nick Tattersall. “Turkey Shifts to Presidential System, Even without Constitutional Change.” *Reuters*, May 23, 2016.

³⁰ Henri Barkey. “Turkey Will Never Be the Same after This Vote.” *Washington Post*, April 11, 2017.

³¹ Umut Uras. “‘Yes’ Vote Leads in Turkey Constitution Referendum,” *Al-Jazeera*. April 16, 2017.

erosion of competing institutions for power in favor of the presidency. President Erdogan and the AKP utilized and manipulated the 2017 constitutional referendum to formally restructure the Turkish Republic and to consolidate power from the executive, legislative, and judiciary branches of the government into the office he holds, the office of the presidency. Collectively, the constitutional amendments endorse an executive presidency system designed with the continued rule of President Erdogan and the AKP in mind.

When the 18 constitutional amendments approved in the referendum come into effect in 2019, they will revise or repeal 76 articles of the Turkish constitution.³² The broad reaching changes affect the executive, legislative, and judiciary branches as well as the nature of democratic governance in Turkey. In the 1921 Law on Fundamental Organization, the Turkish Grand National Assembly disseminated the absolute authority of the Ottoman sultan into executive and legislative branches in an effort to modernize and transition out of dynastic rule.³³ Including the 2017 vote, there have been seven constitutional referendums since Turkey's transition from single-party rule to multi-party system in 1946. The current constitution dates to 1982, two years after Turkey's third coup in 1980, and was amended three times by popular vote and 15 times through legislative action in the period since 1982.³⁴

Given the frequency of constitutional reform, what makes this latest change unprecedented in the history of the Turkish Republic? In shifting from a parliamentary system to a presidential system, this constitutional referendum closes a chapter of history that predates the establishment of the Turkish Republic and it fundamentally changes the distribution of powers between branches of the government established under Ataturk.

³² Sinan Ekim and Kemal Kirişçi. "The Turkish Constitutional Referendum, Explained." *Brookings*, April 13, 2017.

³³ Cook, "RIP Turkey, 1921 – 2017." *Foreign Policy*, April 16, 2017.

³⁴ Ekim and Kirişçi, "The Turkish Constitutional Referendum, Explained." *Brookings*, April 13, 2017.

According to the 2017 changes, if the president's party controls a critical number of seats in parliament, the institution ceases to function as an independent check on his agenda and becomes merely a "rubber-stamp."³⁵ The independence of the institution directly correlates to the composition of the parliament. The following is an examination of how each branch of government was eroded as part of the effort by the AKP and Erdogan to consolidate power using state institutions.

The Executive Branch

Among the amendments to the executive branch are a number of changes fundamentally restructuring the executive. First, the duties of the prime minister will be subsumed under the office of the president, and the prime ministry will be abolished under the new system, formally transforming the parliamentary system into a presidential one. This merger is the single most significant structural change in the package of constitutional amendments, and it demonstrates that the president would retain the powers afforded by his office and substantially increase his authorities with the addition of the powers granted to the prime minister.³⁶ Within the executive branch alone there are considerable power consolidations that shift powers formerly dispersed into a single office.

Secondly, the merging of the prime ministry and presidency removes a requirement that the president be neutral and exist above party politics and allows the president to assume the powers of the head of the government and the head of the state.³⁷ Previously, the president was prohibited from retaining direct ties to a political party as the 1982

³⁵ Ekim and Kirişci, "The Turkish Constitutional Referendum, Explained." *Brookings*, April 13, 2017.

³⁶ Alan Makovsky. "Erdogan's Proposal for an Empowered Presidency." *Center for American Progress*, March 22, 2017.

³⁷ Ekim and Kirişci, "The Turkish Constitutional Referendum, Explained." *Brookings*, April 13, 2017.

Turkish Constitution stipulated the presidency was a non-partisan post.³⁸ This modification represents a major break from Turkish tradition that nullifies “the notion of the presidency as a symbol of national unity set above political parties.”³⁹ Upon assuming the presidency in 2014, President Erdogan was forced to relinquish control of the AKP despite having long supported a party-affiliated presidency.⁴⁰ This change permits the president to maintain direct ties to a political party, and to therefore rule as the head of a political party, the head of the government, and the head of the state, three positions that were purposefully separated under the old parliamentary system.⁴¹

The most significant new authority granted to the executive by the constitutional amendments, beyond the powers inherent in the presidency and prime ministry, is the president’s right to issue a decree with the force of law. Under the changes, the president has the power to issue decrees on political, social, and economic issues that carry the full force of law, which effectively grants the president legislative power, albeit limited.⁴² The amendments limit the scope of legislative power afforded to the president in several ways. Presidential decrees cannot “contradict the fundamental and civil rights and responsibilities enshrined in the constitution,” nor can the president “overturn existing laws or decree a law in an issue... where law by the parliament is required. If a decree contradicts the law, the law takes precedence, and the parliament could pass laws that override presidential decrees.”⁴³ However, if a presidential decree overstepped and parliament had the votes to overrule a decree, there would still likely be a period of time in which the decree would

³⁸ Cagaptay, *The New Sultan*, 140.

³⁹ Makovsky, “Erdogan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁴⁰ Makovsky, “Erdogan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁴¹ Seyla Benhabib. “Turkey Is about to Take Another Step toward Dictatorship.” *Washington Post*, March 16, 2017.

⁴² Makovsky, “Erdogan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁴³ Ekim and Kirişci, “The Turkish Constitutional Referendum, Explained.” *Brookings*, April 13, 2017.

remain in force while the legislative process was responding to the decree.⁴⁴ While theoretically limiting the scope of the president's newfound legislative power, any scenario where the president's party enjoys a significant majority of seats in parliament compromises the capacity of parliament to effectively check executive power in presidential decrees, blurring the line between branches and eliminating the exclusive authority of parliament to legislate.

Additionally, the package of constitutional amendments creates a new office in the executive branch in the form of a vice presidency. According to the changes, the president will have the power to appoint one or multiple vice presidents, as well as “the power to establish and/or abolish ministries, appoint ministers and other senior officials—all of whom would operate without being subject to any legislative or judicial review, and would be accountable only to the president.”⁴⁵ Previously, the Grand National Assembly held a vote of confidence on cabinet ministers and the change eliminates that oversight power. As part of the right to establish or eliminate ministries, the president would set their authorities, responsibilities, and structure in addition to making all executive branch personnel appointments.⁴⁶

While the president is limited to two five-year terms, the constitutional amendments offer an exception that could afford a third term to a president. When the new system outlined in the constitutional amendments comes into force in 2019, there will be joint parliamentary and presidential elections and despite already having completed a five-year term as president, Erdogan is expected to be deemed eligible for run for two more five-year terms under the new system.⁴⁷ The decision on his eligibility to run will likely be up

⁴⁴ Makovsky, “Erdogan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁴⁵ Ekim and Kirişci, “The Turkish Constitutional Referendum, Explained.” *Brookings*, April 13, 2017.

⁴⁶ Makovsky, “Erdogan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁴⁷ Ekim and Kirişci, “The Turkish Constitutional Referendum, Explained.” *Brookings*, April 13, 2017.

to the Constitutional Court, of which the majority of judges have been appointed by Erdogan or his successor, a fellow founding member of the AKP. Given the pro-Erdogan court, it is likely that he would be allowed to stay in power, assuming he wins the popular vote, until 2029.⁴⁸ However, should parliament call for early elections near the middle of his last year in office, he would be eligible under the constitutional amendments to run for another five-year term, thus potentially staying in power until 2034.⁴⁹ The possibility of a third term beyond the fifteen years he has already served as Turkey's head of government and head of state would be unprecedented in Turkish republican history.

Collectively the changes made to the executive branch consolidate power in the presidency at levels novel to the modern Turkish republic. New authorities are granted to the executive that formerly were vested in parliament and the courts, thereby weakening the capacity of parliamentary and judiciary oversight to check the executive's agenda, and offices within the executive were collapsed into the position President Erdogan currently holds. The proposed schedule of implementation significantly advantages the incumbent and reinforces the notion that these changes were designed with the continued rule of the AKP and President Erdogan in mind.

The Legislative Branch

The Grand National Assembly in Turkey was established to assume executive and legislative powers in 1920, three years prior to the establishment of the Turkish Republic, and it has formed 65 governments in 93 years.⁵⁰ The high rate at which it forms governments alludes to systemic instability caused by successive military interventions,

⁴⁸ Makovsky, "Erdogan's Proposal for an Empowered Presidency," March 22, 2017.

⁴⁹ Makovsky, "Erdogan's Proposal for an Empowered Presidency," March 22, 2017.

⁵⁰ Serdar Karagoz. "The 2017 Constitutional Referendum in Turkey." Daily Sabah Centre for Policy Studies, April 2017, 38.

inefficient coalition politics, and a historic preference to call for early elections. The “yes” campaign presented the constitutional amendment package as a means to resolve this fragmentation and to ensure stability and more effective governance by amending a series of articles relating to the parliament. However, these changes directly consolidate power into the executive.

As alluded to above, the constitutional amendments grant the president the right to issue decrees, and while that power is considerable but not unlimited, it does reduce the centrality of the parliament in its role as the ultimate law-making body.⁵¹ Another significant change affects Article 76 and the composition of the Grand National Assembly by increasing the number of seats from 550 to 600. When the number of deputies was last increased in 1995, the move raised the number of seats from 450 to 550 to reflect Turkey’s growing population and to attempt to maintain a lower ratio of population per deputy seen in many European Union countries. Since 1995, Turkey’s population has increased from roughly 59 million to 79 million, and more importantly, its number of registered voters has grown from approximately 29 million to 58 million, essentially doubling in size in twenty years.⁵² The move to increase the number of seats and to thereby adjust the number of deputies to reflect changing demographics was touted by the “yes” campaign as a measure to make the legislative branch more representative of the electorate,⁵³ however the ten percent national threshold rule remains and when acting together the increase in seats and constraint on which parties participate in the Grand National Assembly create the opposite effect.

⁵¹ Makovsky, “Erdoğan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁵² Serdar Karagoz. “The 2017 Constitutional Referendum in Turkey.” Daily Sabah Centre for Policy Studies, April 2017, 10.

⁵³ Serdar Karagoz. “The 2017 Constitutional Referendum in Turkey.” Daily Sabah Centre for Policy Studies, April 2017, 10.

Depending on how and which electoral districts are narrowed, the increase in deputies may not correlate to greater representation. The current requirement for a political party to capture ten percent of the vote to earn representation in parliament, known as the ten percent national electoral threshold, was enacted by authorities after the 1980 coup to keep marginal parties out of parliament, thereby reducing fragmented politics.⁵⁴ In effect, the ten-percent threshold has created for the AKP “lopsided and unrepresentative majorities in the legislature,”⁵⁵ because the seats that would go to the minority party are redistributed proportionately, and as the majority party the AKP is the main beneficiary.⁵⁶ If redistricting favors the incumbent AKP party then the additional seats would likely be filled by a disproportionately higher number of AKP deputies. Alternatively, redistricting could be used to repress the number of seats earned by opposition parties thereby making it more difficult for them to meet the ten percent national threshold or by increasing the obstacles they would face in translating their votes into seats. There is potential for a majority party to use the increase in seats to dilute the representation of opposition parties, and to thus reduce the ability of the parliament to check executive power should the majority party and executive share the same political affiliation.

Additionally, the constitutional amendments revise Article 77 which sets the election term for the Grand National Assembly. Previously, parliamentary elections were to take place every four years, however the revised article expands the election term for parliament to five years and also stipulates that parliamentary and presidential elections will now be held simultaneously every five years.⁵⁷ In syncing parliamentary and

⁵⁴ Cagaptay, *The New Sultan*, 62.

⁵⁵ Cagaptay, *The New Sultan*, 179.

⁵⁶ Asli Kandemir. “Turkey’s Top Court Declines to Lower 10 Percent Electoral Threshold.” *Reuters*, January 6, 2015.

⁵⁷ Serdar Karagoz. “The 2017 Constitutional Referendum in Turkey.” *Daily Sabah Centre for Policy Studies*, April 2017, 12.

presidential elections, the “no” campaign emphasized the move would increase the likelihood of voters selecting members of parliament and presidents from the same party, and the “yes” campaign countered that the change would promote uninterrupted stability by granting longer parliamentary sessions and reducing the frequency of calls for early elections.⁵⁸ In the case of a run-off in the presidential election, the second round of voting would take place two weeks later and the electorate would have a choice between a candidate that was more likely to work harmoniously with parliament, or an alternative.⁵⁹ While this allows for a scenario in which the executive and legislative branches are balanced in the sense that the party enjoying a majority in parliament and the party of the president are different, this fuels the fragmentation and weak coalition politics that have made the Grand National Assembly unstable in the past.

In effect, the syncing of parliamentary and presidential elections creates conditions in which voters cast two separate ballots for their leadership: one for their head of government and one for the party list of parliamentarians.⁶⁰ When Turkish voters went to the polls in 2014 for the first direct election for president, they voted on their head of state not their head of government, in a position that was designed to be nonpartisan. Given AKP’s successive parliamentary victories in 2002, 2007, 2011, June 2015, and November 2015,⁶¹ and President Erdogan’s 2014 presidential victory with 51.79 percent of the vote, the AKP under Erdogan is expected to continue to win elections and to create conditions in which the parliament serves a subservient role to the president’s mandate.

⁵⁸ Serdar Karagoz. “The 2017 Constitutional Referendum in Turkey.” Daily Sabah Centre for Policy Studies, April 2017, 12.

⁵⁹ Serdar Karagoz. “The 2017 Constitutional Referendum in Turkey.” Daily Sabah Centre for Policy Studies, April 2017, 12.

⁶⁰ Makovsky, “Erdogan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁶¹ While the AKP lost seats they retained the majority of seats.

While the constitutional changes do not modify the president's authority to dissolve parliament, they do collectively alter the incentives for both the president and the parliament to call for early elections. It is important to note that the authority of the president to dissolve parliament has never been invoked, however the president may be even less inclined to dissolve parliament under the new system given the requirement that presidential and parliamentary elections occur simultaneously.⁶² Both actors are mutually dis-incentivized because for the president to dissolve parliament he would in effect be dissolving his own term as well, and vice versa. Given the aforementioned changes to presidential terms limits, the president is significantly deterred from exercising the power of dissolution,⁶³ but parliament is also deterred from calling for early elections to force a change in the head of government. Despite their mutual disincentives, there remains an imbalance in the capacity of the president and parliament to force each other into early elections. Whereas the president can call for early elections at any time, parliament would require the support of a three-fifths majority to call for early elections,⁶⁴ which demonstrates the barriers placed on legislative checks to executive power.

Alternatively, several amendments directly subvert parliamentary checks on executive power. Under the previous system in which the head of the government was the prime minister, parliamentarians could put questions directly to the head of the government and use that interface to leverage their power. With the changes, parliamentarians will not be able to put oral questions to leadership directly, and instead will be limited to submitting written questions to ministers and vice presidents, but not to the actual head of the government.⁶⁵ This effectively “would elevate the president above legislative scrutiny—a

⁶² Makovsky, “Erdoğan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁶³ Makovsky, “Erdoğan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁶⁴ Makovsky, “Erdoğan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁶⁵ Makovsky, “Erdoğan’s Proposal for an Empowered Presidency,” March 22, 2017.

major and dramatic break from past practice,”⁶⁶ and reduce the balancing power of parliament. Also, the oversight capabilities of the parliament on the executive are weakened and, in some cases, written out of the constitution. Article 87 lists the duties and powers of the Grand National Assembly, and whereas that list once included monitoring the cabinet and cabinet ministers, that oversight power has been stripped.⁶⁷

In effect, parliament no longer has a constitutional mandate to supervise the executive branch, and when combined with the president’s new authority to appoint ministers without parliamentary approval,⁶⁸ the shift in power moves directly from parliament to the executive. Furthermore, under changes to Article 98 parliament loses its right to introduce motions of censure and to call for votes of no-confidence, which were previous tools of firing ministers and bringing an end to a government.⁶⁹ Also, whereas a simple majority of a quorum was sufficient under Article 89 to pass a bill that the president had vetoed, the new constitutional standard raises the bar to an absolute majority of its entire membership, which under the new system is 301 votes out of 600.⁷⁰ This move diminishes the Grand National Assembly’s capacity to legislate independent of the executive, and creates more systematic obstacles should they move to pass legislation that is not endorsed by the president.

With respect to impeachment, changes to constitutional articles both widen the array of crimes for which a president would be liable for removal and increase the requirements parliament would need to undertake to impeach a sitting president. Currently, a president can only be impeached on charges of “high treason” and there are two

⁶⁶ Ekim and Kirişci, “The Turkish Constitutional Referendum, Explained.” *Brookings*, April 13, 2017.

⁶⁷ Ekim and Kirişci, “The Turkish Constitutional Referendum, Explained.” *Brookings*, April 13, 2017.

⁶⁸ Serdar Karagoz. “The 2017 Constitutional Referendum in Turkey.” Daily Sabah Centre for Policy Studies, April 2017, 13.

⁶⁹ Ekim and Kirişci, “The Turkish Constitutional Referendum, Explained.” *Brookings*, April 13, 2017.

⁷⁰ Ekim and Kirişci, “The Turkish Constitutional Referendum, Explained.” *Brookings*, April 13, 2017.

procedural steps necessary to remove a president from office: first, one-third of MPs must sign a petition to initiate impeachment, and second, three-quarters of MPs must vote in agreeance to remove the president.⁷¹ In contrast, the amended procedure expands the crimes liable for impeachment to include bribery corruption, theft, and generally the crimes that make a citizen ineligible to run for parliament, however and significantly, this list does not include government-related abuses of power.⁷²

The procedure for impeachment expands to five steps, several of which are beyond the purview of the Grand National Assembly. Those steps include: parliament petitioning for an investigation into an alleged crime with the support of an absolute majority, within a month of discussion parliament securing a vote of three-fifths support to move forward with the petition, the appointment of a 15-member commission tasked with producing a report, following the commission's report parliament would need a two-thirds majority vote to send the president to the Supreme Court for trial, and if convicted by the Supreme Court, the president would be removed from office.⁷³ While technically the president is now liable for more crimes, the expanded obstacles to impeachment greatly hamper the power of the parliament to remove a president from office, and make the institution dependent on judiciary support, thereby eroding its autonomy and systematic checks to executive power.

Some of the changes to parliamentarians' power are designed to separate the executive and legislative branches while not explicitly shifting authorities from parliament to the executive. The former system allowed cabinet members to serve in the Grand National Assembly, and under the revised constitution a legislator appointed to the cabinet

⁷¹ Makovsky, "Erdoğan's Proposal for an Empowered Presidency," March 22, 2017.

⁷² Makovsky, "Erdoğan's Proposal for an Empowered Presidency," March 22, 2017.

⁷³ Ekim and Kirişçi, "The Turkish Constitutional Referendum, Explained." *Brookings*, April 13, 2017.

would have to resign his or her seat in parliament prior to taking his or her new post.⁷⁴ However, instances in which the constitutional amendments separate the branches without shifting power from one branch to the executive are rare.

The Judicial Branch

While building momentum for his presidency, Erdogan undertook several steps designed to weaken the judiciary. Historically, the judiciary is included along with the military and sometimes the media as key checks and balances on government power in Turkey,⁷⁵ and this highlights the significance of his erosion of judicial autonomy. (Chapter 3 addresses his elimination of the military's capacity to check his power.) "The judiciary in Turkey has never been independent of ideological or political pressure, but neither has it been a broken system."⁷⁶ The toolkit utilized by the AKP and Erdogan to weaken judicial independence includes repeated constitutional referendums restructuring the courts and mass purges of prosecutors and judges unleashed following the failed July 2016 coup attempt.

Disputes between the AKP and the judiciary predate the party's 2002 electoral victory and are rooted in the tense historical relations between Islamist parties and the courts. After the Constitutional Court found the RP and FP unconstitutional, in 1998 and 2001 respectively, for violating the secularist articles of the Constitution mandating the separation of religion and state, and the Court supported the 1997 military coup by banning the RP,⁷⁷ the AKP arose as the ideological successors to the RP and FP in a political system

⁷⁴ Makovsky, "Erdogan's Proposal for an Empowered Presidency," March 22, 2017.

⁷⁵ Cagaptay, *The New Sultan*, 126. Berk Esen and Sebnam Gumuscu. "Turkey: How the Coup Failed." *Journal of Democracy* 28, no. Number 1 (January 2017): 60.

⁷⁶ Suzy Hansen. "Inside Turkey's Purge." *The New York Times Magazine*, April 13, 2017.

⁷⁷ Cagaptay, *The New Sultan*, 120.

that has proven itself hostile to Islamist agendas. While the AKP learned from the lessons of the RP and FP and ran on a platform that was not openly Islamist, they also understood the Constitutional Court to be one of only a handful of institutions capable of removing them from power.

The extent to which Erdogan and the AKP viewed the courts as a threat to their political survival heightened in 2008, a year after they faced off against the military over their nomination of Abdullah Gul for President.⁷⁸ The Constitutional Court in Turkey is “both the interpreter of the Constitution and the court that tries alleged crimes committed by senior officials,”⁷⁹ which under the current system are largely members of the AKP. After the AKP successfully secured Abdullah Gul’s presidency over the military’s objections based on his wife’s wearing of a headscarf, the extent to which the AKP was openly Islamist sparked a response. In March 2008, Turkey’s chief prosecutor brought a case before the Constitutional Court alleging that the AKP “had become a center of anti-secular activity and thus should be closed.”⁸⁰ The high court’s verdict demonstrated that it had found evidence supporting the charge, but the body fell one vote short of shutting down the party. Ultimately, six out of eleven members of the Constitutional Court voted to close the AKP, the ruling majority party in power, however in the absence of a seventh vote in favor, the Court was unable to close the party and instead fined the AKP \$20 million.⁸¹ Unlike the RP and FP, the AKP survived an attempt by the Constitutional Court to remove them from power, but as the 2008 Constitutional Court case against the AKP demonstrated, the courts had the means to challenge Erdogan and his agenda.

⁷⁸ See Chapter 3.

⁷⁹ Makovsky, “Erdogan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁸⁰ Cook, “How Erdogan Made Turkey Authoritarian Again.” *The Atlantic*, July 21, 2016.

⁸¹ Cook, “How Erdogan Made Turkey Authoritarian Again.” *The Atlantic*, July 21, 2016.

As the Ergenekon trials drew to a close in 2010,⁸² Turkey held a referendum on 26 proposed constitutional amendments presented by the AKP and Erdogan as steps to bring Turkey more in line with EU-member states, thereby potentially advancing Turkey's EU membership. The comprehensive package of changes included amendments addressing gender inequality, the right to privacy, and the judiciary, and the referendum was structured as a single vote on the collection of changes, rather than 26 separate votes.⁸³ The judicial reforms aimed to "break up the guild-like nature of the judiciary by giving elected officials more influence over judicial appointments," and offered the ruling government far-reaching influence over the courts.⁸⁴ The Turkish high courts were particularly targeted by Erdogan because they represented a threat to his interests and his party had only recently narrowly avoided a shutdown by the Constitutional Court.

Among the 2010 constitutional reforms were changes to the composition of two key courts in Turkey: the Constitutional Court and the High Council of Judges and Prosecutors. The number of judges in Turkey's most powerful court, the Constitutional Court, increased from 11 to 17 and President Gul, a founding member of the AKP, was given the authority to select two of the new members without undergoing the legislative confirmation process. The High Council of Judges and Prosecutors, which provides peer oversight to judges and prosecutors, expanded its membership from 12 members to 34 members, of which four new members were chosen by President Gul.⁸⁵ While the jurists comprising these two courts historically held a dim view of egalitarian democracy,⁸⁶ the

⁸² See Chapter 3.

⁸³ Cagaptay, *The New Sultan*, 119.

⁸⁴ Cagaptay, *The New Sultan*, 119.

⁸⁵ Cagaptay, *The New Sultan*, 121.

⁸⁶ Cagaptay, *The New Sultan*, 122.

changes brought the judiciary further under the control of elected officials and allowed the AKP to staff the courts with jurists loyal to the party.

After ending its strategic alliance with the Gulen movement,⁸⁷ the AKP and Erdogan in 2013 faced a dramatic and widespread government corruption scandal driven by investigations led by elements of the police and judiciary believed to be connected to the Gulen movement. Altogether, 52 people connected to the AKP were arrested including family members of cabinet ministers, and they were charged with bribery, corruption, fraud, money laundering, and gold smuggling.⁸⁸ “Embarrassing tapes of what appeared to be conversations between Erdogan and his son about managing millions of dollars of cash were leaked to the public in pro-Gulen dailies.”⁸⁹ In retaliation, Erdogan promoted restrictive legislation aimed at reining in the High Council of Judges and Prosecutor’s autonomy and campaigned to elect pro-Erdogan judges as members of the Council in 2014.⁹⁰ “This, in turn, created the basis for an internal [Council] crackdown on judges and prosecutors believed to be Gulenists, or followers of the semi-secretive religious movement that Erdogan argued has infiltrated the judiciary and orchestrated the corruption allegations.”⁹¹

Following corruption allegations against himself and his family, Erdogan demoted and fired many of the police chiefs, judges, and prosecutors involved in the corruption charges in 2013 and 2014.⁹² The consequences of the rupture between the AKP and the

⁸⁷ Until 2013, the Gulenist movement and the AKP were partners and worked together in the Ergenekon and Sledgehammer show trials to subvert the military’s power. Their falling out reflects a pattern of Erdogan and the AKP building alliances with one group to take out an opposing group, and these alliances typically last until the AKP reassesses who is a threat and goes after its ally.

Cook, “How Erdogan Made Turkey Authoritarian Again.” *The Atlantic*, July 21, 2016.

⁸⁸ Cagaptay, *The New Sultan*, 137.

⁸⁹ Cagaptay, *The New Sultan*, 137.

⁹⁰ Makovsky, “Erdogan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁹¹ Makovsky, “Erdogan’s Proposal for an Empowered Presidency,” March 22, 2017.

⁹² Cagaptay, *The New Sultan*, 137.

Gulen movement were far-reaching and upon surviving the corruption scandal, Erdogan declared the Gulen movement a terrorist organization and the Gulenists became his main opposition and “from this point on, Erdogan and the Gulen movement waged all-out war, with the fight reaching its crescendo in the failed plot of July 15, 2016, in which Gulen-aligned military officers allegedly formed the backbone of a coup d’état against Erdogan.”⁹³

In the aftermath of the failed 2016 coup attempt, Erdogan and the AKP initiated massive, widespread purges in both private and public sectors firing or suspended an estimated 130,000 people suspected of being dissidents, or more specifically, Gulenists.⁹⁴ One of the hardest hit groups was judges and prosecutors. Within a month of the failed coup attempt, 2,745 members of the judiciary were suspended and the government announced their intention to hire 5,000 new judges and prosecutors by the end of August.⁹⁵ By the April 2017 constitutional referendum that estimate had risen to 4,000 forced out in the purges, which is equivalent to one-third of Turkey’s 12,000 judges and prosecutors.⁹⁶ According to one judge, “If you purge 30 to 40 percent of the judiciary, in a sense you purge it all... There’s no tradition left and no knowledge left.”⁹⁷ The head of the judges’ union, Mustafa Karadag, said the positions were often “filled by novices who could provide letters of accreditation from a legal guild with links to the AKP.”⁹⁸ Repeatedly, Erdogan

⁹³ Cagaptay, *The New Sultan*, 137.

⁹⁴ These estimates fluctuate and this estimate is dated just prior to the April 2017 constitutional referendum.

Patrick Kingsley. “Turkey in Turmoil and Chaos Since Purge Aimed at Dissenters.” *The New York Times*, April 12, 2017.

⁹⁵ Josh Keller et al. “The Scale of Turkey’s Purge Is Nearly Unprecedented.” *The New York Times*, August 2, 2016.

⁹⁶ Kingsley, “Turkey in Turmoil and Chaos Since Purge Aimed at Dissenters,” April 12, 2017.

⁹⁷ Kingsley, “Turkey in Turmoil and Chaos Since Purge Aimed at Dissenters,” April 12, 2017.

⁹⁸ Kingsley, “Turkey in Turmoil and Chaos Since Purge Aimed at Dissenters,” April 12, 2017.

aggressively utilized political leverage to purge the judiciary in order to eliminate their capacity to check executive power.

Additionally, the purges touched every level of Turkey's legal profession from trainees to Turkey's highest court. At least two judges from the Constitutional Court were removed.⁹⁹ Since the coup attempt, the Constitutional Court has received over 100,000 cases on behalf of people in jail or fired from their jobs, a massive and unmanageable increase from their typical yearly case load of 20,000 cases. Remarkably, the Constitutional Court has not ruled on a single application, and in refusing to hear the cases, the Court denies applicants grounds to appeal to a higher court such as the European Court of Human Rights. In politicizing the courts, Erdogan eliminates opponents using a system that people widely respect.¹⁰⁰ The purges created vacancies in the judiciary for the AKP to fill at their discretion, but they represent one of several tactics to overhaul the political leanings of the judiciary.

The 2017 constitutional referendum set out to further restructure the courts and to bring the courts further under the control of the government. Included in package were additional changes to the judiciary granting even more power to Erdogan and the AKP. First, the current composition and level of political influence over the High Council of Judges and Prosecutors will be transformed. Currently, the body has 22 members, four of whom are appointed by the president, and under changes to Article 159 the court will be downsized to 13 members. The president will retain the authority to appoint four members, parliament will appoint seven members, and the remaining two spots will be filled by the minister of justice and the minister's deputy, two positions filled at the full discretion of

⁹⁹ Hansen, "Inside Turkey's Purge," April 13, 2017.

¹⁰⁰ Hansen, "Inside Turkey's Purge," April 13, 2017.

the president.¹⁰¹ The “yes” campaign argued restructuring the Council, which also oversees the curriculum of law students, admission in the legal profession, and promotions and disciplinary actions for judges and prosecutors, would give the public input in Council elections for the first time.¹⁰²

By formally tying the Council to elected officials and public input vis-à-vis their elected officials, the autonomy of the judiciary is eroded. The current system allows for 16 of its 22 members to be elected by bodies within the legal profession.¹⁰³ “Thus, the key body would cease to be primarily administered by the judiciary itself and would come fully under the sway of political appointees.”¹⁰⁴ Effectively, six members of a smaller Council will be presidential appointees, increasing direct executive control over the Council by nearly thirty percent. Since the High Council of Judges and Prosecutors decides who works where and in what positions across the judiciary, “presidential dominance of the [Council] promotes presidential dominance of the entire judicial system,”¹⁰⁵ thereby significantly eroding its capacity to check executive power.

A similar tactic amends Article 146 and reduces the membership of the Constitutional Court from 17 to 15 members.¹⁰⁶ The number of appointments made by the president and parliament remain unchanged, and the president and parliament will continue to appoint 12 members and 3 members respectively. However, the removal of two members from the Constitutional Court eliminates two positions formerly appointed by the military

¹⁰¹ The authority to select ministers without parliamentary or judiciary oversight is discussed in the executive branch section of Chapter 2.

Ekim and Kirişci, “The Turkish Constitutional Referendum, Explained.” *Brookings*, April 13, 2017.

¹⁰² Serdar Karagoz. “The 2017 Constitutional Referendum in Turkey.” Daily Sabah Centre for Policy Studies, April 2017, 25.

¹⁰³ Makovsky, “Erdoğan’s Proposal for an Empowered Presidency,” March 22, 2017.

¹⁰⁴ Makovsky, “Erdoğan’s Proposal for an Empowered Presidency,” March 22, 2017.

¹⁰⁵ Makovsky, “Erdoğan’s Proposal for an Empowered Presidency,” March 22, 2017.

¹⁰⁶ Ekim and Kirişci, “The Turkish Constitutional Referendum, Explained.” *Brookings*, April 13, 2017.

court,¹⁰⁷ and this move thereby increases the executive's relative influence over the judicial body, brings the entire body under civilian control, and diminishes the influence of an institution competing for power.¹⁰⁸

When the 2017 constitutional referendum goes into effect in 2019, the president will have direct authority over the appointments of 18 of the 28 top-ranking members of the judiciary,¹⁰⁹ and presidential appointees will not be reviewable by parliament or any other body.¹¹⁰ "If the president's party at least has a 3/5 majority in parliament, the judiciary may then be entirely aligned with the executive – or, effectively, the president himself. Undoubtedly, this would put a huge question mark on the independence of the judiciary, as it would not be subject to a parliamentary review process and report only to the president."¹¹¹ Erdogan and the AKP have repeatedly taken steps to fill the judiciary with loyalists to reduce the capacity of the judiciary to challenge their agenda and to restructure the judiciary to increase their dominance over judicial appointments. As result, a key check and balance on executive and legislative power has been dismantled and brought under the orbit of executive power.

CONCLUSIONS

In the fifteen years since Erdogan and the AKP came to power, they have incrementally and purposefully eroded key checks and balances in the Turkish political system to favor the executive. Changes made with regard to the parliamentary system, the authorities of the president, and the independence of the judiciary served as a one-way

¹⁰⁷ Serdar Karagoz. "The 2017 Constitutional Referendum in Turkey." Daily Sabah Centre for Policy Studies, April 2017, 24.

¹⁰⁸ The 2017 constitutional amendments involving military courts will be discussed in Chapter 3.

¹⁰⁹ Ekim and Kirişci, "The Turkish Constitutional Referendum, Explained." *Brookings*, April 13, 2017.

¹¹⁰ Makovsky, "Erdogan's Proposal for an Empowered Presidency," March 22, 2017.

¹¹¹ Ekim and Kirişci, "The Turkish Constitutional Referendum, Explained." *Brookings*, April 13, 2017.

street shifting power into a single office and transformed Turkey into an executive-style presidency with Erdogan at its head. Opposing Erdogan became synonymous with plotting a coup,¹¹² and the extent to which opposition was treated as treasonous touched even Erdogan's inner circle. As Erdogan's number two, Prime Minister Ahmet Davutoglu, grew into an increasingly visible household name both domestically and overseas, and Erdogan found this challenged his monopoly on power.¹¹³ In May 2016, at the request of Erdogan, Prime Minister Davutoglu resigned.¹¹⁴

Throughout this transformation, Erdogan has made his feelings on the Turkish political system known. "In 2012, Erdogan complained about the separation of powers, which he described as 'an obstacle' to be overcome. 'You find yourself confronted by judges in places where you least expect it,' he complained."¹¹⁵ Efforts by the courts to close the AKP intensified Erdogan's campaign to delegitimize and destabilize the historical rival institution and by hollowing out the judiciary, Erdogan has changed basic paradigms about a well-respected Turkish institution. "Turkish courts have always acted in the service of state power, but Erdogan has eliminated even the pretense of prosecutorial or judicial independence."¹¹⁶ These changes along with similar erosions to executive and legislative authority eliminate checks and balances make Erdogan the most powerful politician in Turkey since the country became a multiparty democracy in 1950.¹¹⁷

¹¹² Cagaptay, *The New Sultan*, 116.

¹¹³ Cagaptay, *The New Sultan*, 159.

¹¹⁴ Soner Cagaptay. "Turkey's King." *Foreign Affairs*, May 8, 2016.

¹¹⁵ Halil Karaveli. "Erdogan's Journey: Conservatism and Authoritarianism in Turkey." *Foreign Affairs*, October 17, 2016, 125.

¹¹⁶ Karaveli, "Erdogan's Journey: Conservatism and Authoritarianism in Turkey," 125.

¹¹⁷ Soner Cagaptay. "Turkey's King." *Foreign Affairs*, May 8, 2016.

CHAPTER 3: MR. COMMANDER-IN-CHIEF

In the ninety-five years since the establishment of the Turkish Republic, there have been four military coups to remove sitting governments and until the July 2016 coup attempt each of these interventions successfully brought a change in political leadership. The formulation of civil-military relations in Turkey was established under Ataturk and designates the military as “guardians of Turkey’s secularism”¹¹⁸ tasked with checking the government when it fails to uphold basic tenets of the Turkish Constitution. With such a mandate, the military has historically resisted subordinating its institutions to civilian leadership and the military often reaffirmed its autonomy and independence after a coup. The military interventions in 1960, 1971, 1980, and 1997, “aimed at protecting the republic from what the generals saw as the harmful intentions of Turkish politicians. In the eyes of the Turkish public, the military has long enjoyed a privileged status as the guardians of Mustafa Kemal Ataturk’s vision of a secular Turkish nation-state.”¹¹⁹ As an institution that has functioned historically without much civilian oversight, the extent to which the Turkish military has been subordinated to civilian leadership, and in particular to President Erdogan, is unprecedented. “Erdogan’s long tenure seems to have altered past patterns of Turkey’s civil-military relations,”¹²⁰ and this represents a significant erosion of an institution competing for power in the republic.

The failure of the July 2016 coup attempt and the subsequent expansive purges and reforms of the military represent a turning point in the history of civil-military relations in the Turkish Republic. Whereas previous coup attempts were largely successful and led the military to expand their autonomy by passing new laws and regulations,¹²¹ the events of

¹¹⁸ Gonul Tol and Omer Taspinar. “Erdogan’s Turn to the Kemalists.” *Foreign Affairs*, October 27, 2016.

¹¹⁹ Tol and Taspinar, “Erdogan’s Turn to the Kemalists,” October 27, 2016.

¹²⁰ Steven A. Cook. “General Erdogan’s First War.” Council on Foreign Relations, February 8, 2018.

¹²¹ Tol and Taspinar, “Erdogan’s Turn to the Kemalists,” October 27, 2016.

July 2016 demonstrated the power of the executive had grown significantly vis-à-vis the military and for the first time in the history of the republic, the civilian leadership withstood a coup attempt by the military and remained in power. Under emergency law in the months following the failed coup attempt, numerous structural reforms to the military conducted without judicial or legislative oversight further brought the military under the control of the civilian government, but the balance of power between the military and the government had been in flux since Erdogan and the AKP came to power in 2002.

Today, President Erdogan holds a novel position: Commander in Chief of the Turkish Armed Forces. Following fifteen years of corrosive civil-military relations, President Erdogan “is now the first Turkish head of state to be truly vested with the powers outlined in Articles 104 and 117 of the Turkish Constitution. Those provisions make Erdogan the commander in chief (on behalf of the Grand National Assembly) and allow him to ‘decide on the use of the Turkish Armed Forces,’ NATO’s second-largest military.”¹²² The practical implications of this shift are already impacting the region and Erdogan “has availed himself of those powers liberally, having ordered Turkish planes, tanks, and troops into battle in Syria twice over the last 18 months.”¹²³ Erdogan stands in complete control of Turkish military involvement in the efforts to quell the PKK and ISIS, and the transformation of the Turkish Armed Forces from an autonomous institution to one under complete civilian control has disrupted chains of command and sown division and competition in the newly politicized institution.¹²⁴

Whereas Turkey’s military leaders previously rarely made public appearances at political events, in August 2016 the country’s Chief of General Staff, the highest-ranking

¹²² Cook. “General Erdogan’s First War,” February 8, 2018.

¹²³ Cook. “General Erdogan’s First War,” February 8, 2018.

¹²⁴ Tol and Taspinar, “Erdogan’s Turn to the Kemalists,” October 27, 2016.

military officer in the Turkish Armed Forces, General Hulusi Akar appeared in uniform at a rally of more than a million people in Istanbul alongside President Erdogan, Prime Minister Binali Yildirim, and the leaders of the Turkish opposition.¹²⁵ The general thanked Turkey's civilians for their role in helping to quash the July 2016 coup attempt and through repeated interruptions for applause he reassured the crowds that the 'traitors' involved in the coup attempt would be punished harshly.¹²⁶ "The vision of united among the people, the military, and elected officials presented at the rally stood in sharp contrast to the bloody images that emerged after July's unrest, which showed soldiers lynched by crowds and generals tortured by the police."¹²⁷ In this instance the imagery of the military uniform was coopted for political purposes, and this represents the larger transformation undertaken to erode the autonomy and power of the Turkish Armed Forces.

Alternatively, other symbolic representations of military power have removed the military uniform from the equation. Historically, at NATO ministerial meetings the Turkish Chief of General Staff always sat beside the defense minister in accordance with protocol. From the Turkish perspective, it was odd for military officers from other NATO member countries to sit behind their civilian leadership because the Turkish minister of national defense held no authority over the military command.¹²⁸ "While both were formally subordinate to the civilian prime minister, the men in uniform didn't always act that way."¹²⁹ In bringing the military under executive control, the Chief of General Staff is now formally subordinate to the defense minister, thereby implying that the men in uniform

¹²⁵ Tol and Taspinar, "Erdogan's Turn to the Kemalists," October 27, 2016.

¹²⁶ Tol and Taspinar, "Erdogan's Turn to the Kemalists," October 27, 2016.

¹²⁷ Tol and Taspinar, "Erdogan's Turn to the Kemalists," October 27, 2016.

¹²⁸ Tol and Taspinar, "Erdogan's Turn to the Kemalists," October 27, 2016.

¹²⁹ Tol and Taspinar, "Erdogan's Turn to the Kemalists," October 27, 2016.

now sit behind the defense minister in an apt representation of the manner in which civil-military relations have fundamentally changed.

While the degree of erosion of military autonomy has accelerated significantly since the July 2016 coup attempt, efforts to consolidate civilian control over the military began much earlier and date to the rise of the AKP. This campaign primarily utilized structural reforms, show trials, and purges to weaken the military. The justifications for reforms have varied since 2002, however Erdogan and the AKP have systematically diminished the independence and autonomy of the military for the purpose of consolidating their own power. The precedent of four civilian governments removed by the military informed the AKP's strategy to target an institution with the power to remove them from office. "Past Turkish administrations had to live in check by a once-powerful military elite that saw itself as the guardian of secularism and had a long history of successful coups. But years of purges and reform under Mr. Erdogan have dented the military's power, and the failure of last year's coup attempt damaged the army's cohesion and prestige while furnishing Mr. Erdogan's own reputation."¹³⁰ In the process, the AKP reconstructed basic paradigms of civil-military relations in Turkey.

COMPETING FOR POWER

Tensions between Erdogan and the military predate the AKP's first electoral victory in 2002. For a brief period in the mid- to late-1990s, Turkey experienced an Islamist moment. Erdogan was elected mayor of Istanbul and encouraged imposing sharia and banning alcohol sales in municipality-owned facilities. He was a member of the Welfare Party (in Turkish the RP), which in the 1995 national election won the highest share of the

¹³⁰ Patrick Kingsley. "Foes on the Run as Erdogan Makes Power Personal." *The New York Times*, April 6, 2017.

vote, and its party leader, Necmettin Erbakan, became the prime minister in a coalition government the following year.¹³¹ In 1997, the involvement of the Turkish Armed Forces in politics reached its highest level and the National Security Council signed a memorandum asserting the coalition led by the pro-Islamic Welfare Party was undermining the secular pillar of the Turkish Republic.¹³² The military did not deploy but it did mobilize women's organizations, academics, cosmopolitan elites, the media, and big business to destabilize and delegitimize the RP-led government,¹³³ and the supportive reaction from virtually all segments of society compelled the government to resign.¹³⁴

The 1997 "soft coup" by memorandum led the Turkish Constitutional Court to shut down the RP and banned Erbakan from politics for five years. As a junior party member, Erdogan was spared but upon reading a nationalist poem at a rally later that year, the mayor of Istanbul was charged with "inciting the people to religious hatred", was convicted, and spent four months in jail.¹³⁵ The poem included the line: "The mosques are our barracks, the domes our helmets, the minarets our bayonets, and the faithful our soldiers,"¹³⁶ and despite its generally nationalist tone, Erdogan's recitation was regarded as a provocation because the words were uttered by an Islamist politician.¹³⁷ As result of his conviction, Erdogan was barred from holding political office, but nevertheless, he helped to form a new, slightly more moderate political movement, the Virtue Party (or FP). In 2001, the

¹³¹ Karaveli, "Erdogan's Journey: Conservatism and Authoritarianism in Turkey," 122-123.

¹³² Yavuz Cilliler. "Popular Determinant on Civil-Military Relations in Turkey." *Arab Studies Quarterly* 38, no. 2 (Spring 2016): 507.

¹³³ Steven A. Cook. "Turkey Has Had Lots of Coups. Here's Why This One Failed." *Washington Post*, July 16, 2016.

¹³⁴ Cilliler. "Popular Determinant on Civil-Military Relations in Turkey," 507.

¹³⁵ Karaveli, "Erdogan's Journey: Conservatism and Authoritarianism in Turkey," 123.

¹³⁶ Karaveli, "Erdogan's Journey: Conservatism and Authoritarianism in Turkey," 123.

¹³⁷ Steven A. Cook. "No, Erdogan Was Not an Authoritarian All Along." *The Washington Post*, April 20, 2017.

Virtue Party was also shut down by the Constitutional Court for identifying too closely with Erbakan and Islamist policies that ran counter to the Republic's staunch secularism.¹³⁸

Erdogan's paranoia with regard to the military is "compounded by the fact that the military high command and the Constitutional Court shuttered four of the AKP's predecessor parties between 1971 and 2001 for anti-secular activities."¹³⁹ Islamist politicians were periodically banned from politics, and Erdogan himself served prison time for reading an "Islamist" poem. In successfully waging the 1997 coup without firing shots, the military demonstrated its massive political influence and inspired Erdogan to retool his next political project, the AKP, so that it might be able to withstand the military's influence on politics.

INITIATING "CIVILIANIZATION"

In 2003, the AKP came to power on a pro-European integration platform, but efforts by Turkey to join the European Union significantly predate the rise of the AKP. In 1963, Turkey signed an association agreement with the European Economic Community and hoped to join Europe and fulfill the secularizing and modernizing reforms of Ataturk. At the time Turkey featured some democratic practices like a multi-party system, but it had recently experienced that first of four military coups that would unseat governments in the next 35 years.¹⁴⁰ Talks of integration "advanced at a glacial pace" due to "the ambivalence of European leaders leery of a country where the rule of law was weak and the human rights were routinely violated... that lagged behind European levels of socio-economic development and that was overwhelming Muslim."¹⁴¹ Following a breakthrough Customs

¹³⁸ Cagaptay, *The New Sultan*, 81.

¹³⁹ Cook, "No, Erdogan Was Not an Authoritarian All Along." *The Washington Post*, April 20, 2017.

¹⁴⁰ Cook, "How Erdogan Made Turkey Authoritarian Again." *The Atlantic*, July 21, 2016.

¹⁴¹ Cook, "How Erdogan Made Turkey Authoritarian Again." *The Atlantic*, July 21, 2016.

Union agreement in 1996, both parties agreed in 2001 to the Ascension Partnership for Turkey laying out a cooperative framework for Turkey to eventually join the European Union as member state. Per the terms of the framework, Turkey's parliament initiated in 2002 three "harmonization" packages that made key changes to aspects of the penal code, criminal procedure, and anti-terror law, abolished the death penalty, permitted broadcasts in Kurdish, and strengthened freedom of expression.¹⁴²

When Erdogan and the AKP came to power in 2003, the liberalizing trend appeared to continue and the AKP-led parliament enacted five reform packages in its first year and half in power. Whereas previous Islamist parties had argued against integrating with the predominantly Christian Europe, the AKP insisted membership with the EU was consistent with their values. As result of Turkey's reform efforts, the EU recommended that Turkey begin membership negotiations, however, because the EU assessed that Turkey had taken vital steps toward fulfilling their requirements for negotiation but had not totally fulfilled them, the EU began membership negotiations while anticipating further reform steps along the process.¹⁴³ After negotiations began in 2005, they slowed almost immediately due to European ambivalence about the prospect of Turkey joining as a full member.¹⁴⁴

As part of the larger reforms enacted by Turkey during negotiations to join the European Union, the government issued reforms to bring the military closer to civilian control in a move that was characterized as democratization. According to liberal, democratic principles exercised widely across the European Union, "elected civilian officials must be supreme over the military," and Erdogan and the AKP received extensive support from the West for changes meant to civilianize the Turkish Armed Forces.¹⁴⁵ As

¹⁴² Cook, "How Erdogan Made Turkey Authoritarian Again." *The Atlantic*, July 21, 2016.

¹⁴³ Cook, "How Erdogan Made Turkey Authoritarian Again." *The Atlantic*, July 21, 2016.

¹⁴⁴ Cook, "How Erdogan Made Turkey Authoritarian Again." *The Atlantic*, July 21, 2016.

¹⁴⁵ Berk Esen and Sebnam Gumuscu, "Turkey: How the Coup Failed," 60.

part of the reforms, “shortly after coming to power, Erdogan placed the military’s influence over governmental affairs on the chopping block,” and he considered reshaping the National Security Council, “which was headed by the military and had sole responsibility for drafting Turkey’s national-security and foreign-policy doctrines, which it passed to the government for implementation.”¹⁴⁶ The reforms reduced the role of the National Security Council to an advisory role, the composition of the State Security Court was amended to include a civilian judge, and the state of emergency was gradually lifted.¹⁴⁷ Additionally, the secretary general of the NSC, a post traditionally filled by an army general, was replaced by a civilian appointed by the president from a list approved by the prime minister.¹⁴⁸ The effect on the NSC was negligible because it retained control of the bureaucratic apparatus of the NSC, however efforts by the AKP to alter relations between the elected civilian leaders and the officer corps were strongly endorsed by the West because the reforms brought the military’s relations with civilian leaders into line with European norms.¹⁴⁹

Contrary to Western expectations, the steps taken by Erdogan and the AKP to civilianize the military did not lead to democratization. “Instead of fostering democratic consolidation, as many scholars of Turkey expected, these shifts fueled the rise of a competitive authoritarian regime dominated by the AKP.”¹⁵⁰ Despite liberal democratic principles favoring civilian control over the military, the campaign to civilianize the Turkish Armed Forces shifted power from a competing state institution to the government and thus, represented the erosion of a key check on governmental power. The Turkish

¹⁴⁶ Cagaptay, *The New Sultan*, 94.

¹⁴⁷ Cillier. Popular Determinant on Civil-Military Relations in Turkey, p507.

¹⁴⁸ Cagaptay, *The New Sultan*, 94.

¹⁴⁹ Cook. “General Erdogan’s First War,” February 8, 2018.

¹⁵⁰ Berk Esen and Sebnam Gumuscu, “Turkey: How the Coup Failed,” 61.

political system seemed atypical in regards to the degree to which the military influenced politics, particularly through the use of military coups meant to reset politics when it deviated from the principles of the Turkish Constitution, and coups d'état are by definition illiberal, however, the military's prestigious status as guardians of secularism and its ability to remove governments from power made it a critical check and balance. As discussed earlier, the Turkish political system featured only two state institutions capable of checking government power: the military and the judiciary. In seeking to curb the military's control over civilian government, Erdogan and the AKP sought to weaken a key competing institution for power.

THE TURNING POINT

After reducing the military's control over civilian government, Erdogan and the AKP moved to eliminate the military's actual power in politics. After four years of worsening relations, the AKP and the military headed into a full-blown standoff. In April 2007, the AKP nominated Abdullah Gul to be president. The move outraged and alarmed secularists because Gul's wife wore a hijab and argued against the controversial headscarf ban and therefore the secularists considered Gul an unfit head of state.¹⁵¹

The nomination prompted the most significant political crisis in Turkey since the 1997 "soft coup." On April 27, 2007, the TAF responded to Gul's nomination by issuing an online press release, which would come to be known as the "e-memorandum." In it, the military reiterated its role as the guardians of secularism and threatened "certain groups" who were working to undercut Turkey's secular principles. In past showdowns between the government and the TAF, such as the 1971 coup by memorandum, the former had bowed down to the latter's threats; disputes between Islamists

¹⁵¹ Cagaptay, *The New Sultan*, 110.

and the TAF had historically ended similarly, such as when Erbakan abdicated in 1997.¹⁵²

According to precedent, the military's memorandum should have caused Erdogan and the AKP to fold almost immediately. However, in this critical moment Erdogan sensed his party's popularity and how Turkey had changed dramatically in his five years in power and he refused to be intimidated by the military.¹⁵³ "Armed with much wider and deeper popular support than Erbakan, and being a more skilled political player," Erdogan stood his ground and "the military failed to take any further action in blocking Erdogan or Gul's nomination, and Erdogan was able to present the armed forces, traditionally considered the most powerful institution in the country, as a paper tiger."¹⁵⁴ In the months following, Erdogan called for new elections and the AKP won 47 percent of the vote. With a renewed popular mandate, Erdogan and the AKP nominated Gul to be Turkey's 11th president and cemented their victory over the military.¹⁵⁵ The victory and the AKP's increased majority in parliament "was interpreted as a response of citizens to military intervention in politics."¹⁵⁶ The military's capitulation marked a turning point in the institution's political influence and emboldened Erdogan and the AKP in their mission to weaken checks on their power.

Transitions in power between Erdogan and the military began to accelerate dramatically after the Gul nomination concession, which is why 2007 marks "the beginning of the end of TAF's dominance in Turkey."¹⁵⁷ In the midst of the showdown over Gul's nomination, the Istanbul police uncovered an alleged plot to overthrow the government in what became known as the Ergenekon case. Throughout an investigation and trial lasting

¹⁵² Cagaptay, *The New Sultan*, 110-1.

¹⁵³ Cook, "How Erdogan Made Turkey Authoritarian Again." *The Atlantic*, July 21, 2016.

¹⁵⁴ Cagaptay, *The New Sultan*, 111.

¹⁵⁵ Cook, "How Erdogan Made Turkey Authoritarian Again." *The Atlantic*, July 21, 2016.

¹⁵⁶ Cillier. *Popular Determinant on Civil-Military Relations in Turkey*, p510.

¹⁵⁷ Cagaptay, *The New Sultan*, 111

from 2007 to 2013, the investigation “promised to root out Turkey’s ‘deep state’—an alleged network of military, intelligence, and civilian officials along with policemen, journalists, academics, business people, and mafia figures. Working in the shadows and beyond the law, the group’s goal was, Turks believed, to subvert the government and any centers of power that would challenge ‘the system’ and this coalition’s interests in it.”¹⁵⁸ The “deep state” is a powerful social, cultural, and political dimension of how Turks perceive events and its strength as a network may be exaggerated or utilized as a political scapegoat, however, the AKP appears interested not in dismantling the actual deep state but rather in taking control over it.¹⁵⁹

In part, Erdogan and the AKP were able to utilize the Ergenekon trial to target the military because it had a key strategic ally in the Gulenists, whose leader Fetullah Gulen fled into exile in the West due to fears over the military. Together, the AKP and Gulenists collaborated “to decapitate the armed forces through spectacular show trials based on fabricated evidence.”¹⁶⁰ While the evidence forming the basis of the coup plot was eventually reexamined, the alleged schemes uncovered in the investigation seemed entirely plausible given Turkey’s long history of coups. The scope of the case was widespread, but it particularly affected the Turkish Armed Forces because the case argued the secularist army planned to carry out the alleged coup plot. “In the ensuing witch-hunt, a quarter of the country’s admirals and generals were jailed. But the Ergenekon case also targeted the government’s secularist opponents, media and civil society, including scholars and journalists.”¹⁶¹ Erdogan detained 31 retired military officials and at least initially, partial

¹⁵⁸ Cook, “How Erdogan Made Turkey Authoritarian Again.” *The Atlantic*, July 21, 2016.

¹⁵⁹ Cagaptay, *The New Sultan*, 110. For more on the “deep state” see: Dexter Filkins. “The Deep State.” *The New Yorker*, March 12, 2012.

¹⁶⁰ Cook. “General Erdogan’s First War,” February 8, 2018.

¹⁶¹ Soner Cagaptay. “The Coup Attempt Is Bad News for Turkey’s Democracy.” *Washington Post*, July 16, 2016.

evidence in the form of weapons caches and contingency plans in a 2004 war game for a coup against the government garnered strong public support for the trials.¹⁶²

The show trials expanded between 2008 and 2011 with the Sledgehammer trials. “Some six hundred people were convicted in the Ergenekon and Sledgehammer trials, including scores of senior generals in the Turkish military and several prominent journalists. About two hundred were sentenced to long prison terms, many in cases presided over by judges thought to be loyal to Gulen.”¹⁶³ Despite shaky evidence, by 2012 “some fifteen percent of the active admirals and generals in the Turkish armed forces [were] on trial for conspiring to overthrow the government.”¹⁶⁴ The indictments claimed the coup plot was so sophisticated and well-hidden because of the involvement of the deep state, which eschewed transparency, that it could not be proven. Notwithstanding the flimsy evidence used, the Ergenekon-Sledgehammer trials effectively crippled the military.¹⁶⁵ The Turkish Armed Forces suffered decreasing prestige and weakening unity as former high-ranking generals accused each other publicly of participating in the alleged coup plot. According to a public survey conducted in April 2013, 50.1 percent of the population indicated that “their trust in the armed forces [was] affected negatively by the Ergenekon and Sledgehammer cases.”¹⁶⁶ In seizing upon a perceived threat, Erdogan and the AKP acted to diminish the prestige and fragment the unity of one of its key rivals.

As result, a palpable shift in power took place. As Yusuf Kanli, a Turkish journalist described: ““It seems that, in the past, when the military expressed dissatisfaction with the government, the government would leave. Nowadays, when the government expresses

¹⁶² Cagaptay, *The New Sultan*, 114.

¹⁶³ Dexter Filkins. “Turkey’s Thirty-Year Coup.” *The New Yorker*, October 17, 2016.

¹⁶⁴ Dexter Filkins. “The Deep State.” *The New Yorker*, March 12, 2012.

¹⁶⁵ David A. Graham. “There Is No American ‘Deep State.’” *The Atlantic*, February 20, 2017.

¹⁶⁶ Cillier, 509-510.

displeasure to the top generals, the top generals are leaving. There is a change in roles.”¹⁶⁷ The Ergenekon and Sledgehammer cases were pivotal moments in the undermining of the Turkish Armed Forces. The secular elite was “completely vitiated” after the trials.¹⁶⁸ Approximately half of Turkey’s admirals, considered “the backbone of the 1997 ‘soft coup,’” were jailed and by July 2011 the top brass including the commanders of the Turkish ground, naval, and air forces resigned.¹⁶⁹

The legacy of the Ergenekon trial was twofold: it eroded the Turkish Armed Forces in terms of personnel, prestige, unity, and public support and it cemented Erdogan and the AKP’s power over the military. “By the time a Turkish court overturned all 275 Ergenekon convictions in 2016, it didn’t matter: The damage to institutions was done, and Erdogan had consolidated his grip on power.”¹⁷⁰ Whereas the military had the power to remove prime ministers in the past, they were no longer in a position to do so.¹⁷¹ Furthermore, the show trials “permeated Turkish politics, producing the idea that opposing Erdogan equaled plotting coups.”¹⁷² This pivotal moment represented a fundamental power shift that initiated a new chapter in Turkish civil-military relations.

THE COUP ATTEMPT

Around 10 p.m. on July 15th, 2016, elements of the Turkish Armed Forces launched simultaneous raids in Ankara and Istanbul. The skies over Ankara were overtaken by Turkish Air Force fighter jets and Turkish Army tanks halted traffic on bridges across

¹⁶⁷ Cagaptay, *The New Sultan*, 117.

¹⁶⁸ Filkins, “Turkey’s Thirty-Year Coup,” October 17, 2016.

¹⁶⁹ Cagaptay, *The New Sultan*, 117.

¹⁷⁰ David A. Graham, “There Is No American ‘Deep State.’” *The Atlantic*, February 20, 2017.

¹⁷¹ David A. Graham, “There Is No American ‘Deep State.’” *The Atlantic*, February 20, 2017.

¹⁷² Soner Cagaptay. “The Coup Attempt Is Bad News for Turkey’s Democracy.” *Washington Post*, July 16, 2016.

Istanbul.¹⁷³ The parliament building in Ankara was bombed in the city's first direct military attack in more than 600 years, and the fighter jets over Istanbul purposefully flew at low altitudes and high speeds to generate terrorizing supersonic booms that created the false impression that the city was being bombed.¹⁷⁴ The raids meant to seize the General Staff Headquarters in Ankara, a police special-forces base near the capital, military high schools, the Istanbul airport, Istanbul's city hall, the national public-broadcasting system, and key facilities controlling the national telecommunications and satellite systems.

Within an hour Prime Minister Binali Yildirim condemned the "insurrection" on a mainstream news network and just after midnight, President Erdogan appeared live via Facetime another network to reassure supporters.¹⁷⁵ The breaking news headline read "Conflicting reports from army groups and government over who is in control of Turkey,"¹⁷⁶ and as Erdogan addressed the public, he charged that a minority within the military led by Fethullah Gulen and his supporters "was trying to override the people's will and 'invade' Turkey."¹⁷⁷ In response, he called on citizens to rally in the streets and to take back the airport. Additionally, he called upon mosques to urge resistance to the coup and over eighty-thousand mosques across Turkey issued religious calls to prayer for hours that night, thus utilizing state religious authority to assist in quelling the coup. Thousands of people in Istanbul and Ankara poured into the streets and placed themselves in front of the tanks.¹⁷⁸

The coup failed within hours. Condemnations from within the military appeared in the early hours of the coup as the commander of the First Army in Istanbul publicly spoke

¹⁷³ Berk Esen and Sebnam Gumuscu, "Turkey: How the Coup Failed," 61.

¹⁷⁴ Cagaptay, *The New Sultan*, 184.

¹⁷⁵ Berk Esen and Sebnam Gumuscu, "Turkey: How the Coup Failed," 61.

¹⁷⁶ Cagaptay, *The New Sultan*, image 13.

¹⁷⁷ Berk Esen and Sebnam Gumuscu, "Turkey: How the Coup Failed," 61.

¹⁷⁸ Berk Esen and Sebnam Gumuscu, "Turkey: How the Coup Failed," 61.

out against it.¹⁷⁹ Only one television channel was captured and the mass mobilization of citizens in the streets garnered mixed reactions from the coup plotters ranging from soldiers giving up their weapons rather than shooting civilians to soldiers fatally shooting or running civilians over with tanks. Erdogan avoided capture, and by the early morning hours of July 16th, it became apparent that the majority of the military was not behind nor in support of the coup. The crowds soon defeated the coup plotters and hundreds of soldiers surrendered and a number were captured by police.¹⁸⁰ By far Turkey's bloodiest coup, the official death toll stated a total of 161 civilians and 104 coup supporters were killed in the clashes.¹⁸¹

When the clashes ended, mass arrests began and they specifically targeted the Air Force and Gendarmerie for their participation in the coup. As the arrested demonstrated, the Chief of the General Staff, Hulusi Akar, and other top military commanders had denied the coup plotters, who were mostly brigadier generals and colonels, their support.¹⁸² Critically, "almost half of all the brigadiers involved in the coup attempt had been appointed after 2013, following the purges of secular-Kemalist senior officers during the Ergenekon and Balyoz (Sledgehammer) cases."¹⁸³ The involvement of only part of the military breaks with the tradition of previous military coups and signals "serious rifts in an organization that, through earlier coups, bitter counterinsurgency and the Ergenekon tragedy, maintained solidarity. And yet another blow to the cohesion of the state and

¹⁷⁹ Cagaptay, *The New Sultan*, 183.

¹⁸⁰ Berk Esen and Sebnam Gumuscu, "Turkey: How the Coup Failed," 62.

¹⁸¹ Cagaptay, *The New Sultan*, 183.

¹⁸² Berk Esen and Sebnam Gumuscu, "Turkey: How the Coup Failed," 62.

¹⁸³ Berk Esen and Sebnam Gumuscu, "Turkey: How the Coup Failed," 62.

society, this event will erode governmental and public support for what was once Turkey's most trusted and united institution."¹⁸⁴

The popular uprising against the military coup illustrated a recent seismic shift in public support for the institution. A World Values Survey taken just before the 1997 coup found that "ninety-five percent of Turks trusted their military," and a 2015 Pew poll taken in the run-up to national elections "found that only fifty-two percent of Turks gave the military a positive rating."¹⁸⁵ Declining public support for the military contributed to the coup failing, but aspects of the coup plot itself reveal the extent to which Erdogan's efforts to delegitimize and destabilize the military succeeded. The coup plotters were unable to build a wide coalition within the Turkish Armed Forces or within other segments of society (as was the case in the 1997 coup) that supported the coup. In the absence of a contingent of military leaders taking credit for the coup, Erdogan is pushing aggressively pursuing a narrative blaming his most recent rivals, the Gulenists, that is backed up by testimonies from General Akar and several confessions that implicate the Gulen movement and Fethullah Gulen.¹⁸⁶

COUNTERING THE FAILED COUP D'ÉTAT

In the aftermath of the failed coup attempt, Erdogan and the AKP exploited remarkably similar tactics in their mission to erode the judiciary and the military: purges and constitutional reforms. The massive and widespread purges especially targeted the institution responsible for undertaking the coup attempt (in this case, the military), and the scale of personnel upended affected Turkey's ability to effectively coordinate in active

¹⁸⁴ Soner Cagaptay. "The Coup Attempt Is Bad News for Turkey's Democracy." *Washington Post*, July 16, 2016.

¹⁸⁵ Elliot Ackerman. "Atatürk Versus Erdogan: Turkey's Long Struggle." *The New Yorker*, July 16, 2016.

¹⁸⁶ Berk Esen and Sebnam Gumuscu, "Turkey: How the Coup Failed," 63.

military missions such as the coalition to defeat ISIS.¹⁸⁷ As witnessed in the purges of the judiciary, the purges of the military created vast opportunities to remove those perceived to be dissidents or opponents (in this case, Gulenists) and to replace them with loyalists, thereby eroding a competing institution for power and transforming it into a support base for Erdogan and the AKP.

Within a month of the failed coup attempt, 10,012 soldiers were detained and roughly half of all top generals and admirals were jailed or dismissed.¹⁸⁸ In some cases, generals were arrested or fired for being too slow to come out in support of Erdogan.¹⁸⁹ Over 5,000 army officials were initially sent to pretrial detention and by April 2017 that number had grown to 8,000 army officers.¹⁹⁰ The scale of the purges “have also called the military’s strength into question... The mass cleansings of the officer corps have led to reported shortages of trained pilots, gendarmes, and other security officials throughout the country.”¹⁹¹ In relieving so many generals of their posts, the purges hampered Turkey’s coordination efforts with NATO. By October 2016, of the fifty Turkish military staffers in NATO headquarters in Belgium, only nine remained.¹⁹²

Additionally, Erdogan and the AKP made several institutional changes in the months following the coup attempt including placing the Coast Guard and the internal security force, the gendarmerie, under the Ministry of the Interior, and subordinating the army, air force, and navy to the Ministry of Defense. The government closed Turkey’s

¹⁸⁷ Speech by U.S. Army Lieutenant General Sean MacFarland, three-star general and former Commanding General of Combined Joint Task Force—Operation Inherent Resolve. MacFarland, Sean. “LBJ Dean’s Distinguished Speakers Series.” The University of Texas, LBJ School, January 30, 2018.

¹⁸⁸ Keller et al, “The Scale of Turkey’s Purge Is Nearly Unprecedented,” August 2, 2016.

¹⁸⁹ “The Vote That Will Determine the Fate of Turkey’s Democracy.” *The Economist*, April 15, 2017.

¹⁹⁰ Keller et al, “The Scale of Turkey’s Purge Is Nearly Unprecedented,” August 2, 2016. Kingsley, “Turkey in Turmoil and Chaos Since Purge Aimed at Dissenters,” April 12, 2017.

¹⁹¹ Ryan Gingeras. “Ottoman Ghosts.” *Foreign Affairs*, October 6, 2016.

¹⁹² Tol and Taspinar, “Erdogan’s Turn to the Kemalists,” October 27, 2016.

military schools and passed reforms allowing graduates of the country's religious schools to enter the armed forces.¹⁹³ "The hasty institutional changes... are likely to disrupt the chains of command, sowing division and competition in the ranks. In the longer term, Erdogan's plan... to fill its institutions with government loyalists could politicize the officer corps and de-professionalize the army. At the moment, the army is too weak to resist those changes or to otherwise preserve its autonomy."¹⁹⁴ Erdogan faces a challenge in whittling away the military's autonomy without compromising its effectiveness. "On the one hand, the president must rebuild a broken army into a strong and well-respected institution that can project power and meet security challenges ranging from Kurdish separatism to the terrorism of the so-called Islamic State, or ISIS. On the other, he has to ensure that the military will submit to his own authority."¹⁹⁵ The coup attempt has not slowed or reduced Turkey's military involvement domestically or regionally as Erdogan has sought to demonstrate Turkey's military effectiveness in Syria.

While Erdogan used his authority during the state of emergency to strengthen his grip on the military, several amendments in the 2017 constitutional referendum aimed to institutionalize further changes to the military. First, modifications to Article 142 on the formation of courts limits the conditions in which military courts can be used to matters involving military discipline or to times of war. Essentially, this abolishes military courts and brings officers and civilians under the same judicial system.¹⁹⁶ Second, performance of military service would no longer be a requirement for parliamentary candidates.¹⁹⁷ As mentioned in Chapter 2, the two constitutionally mandated military judges would be

¹⁹³ Tol and Taspinar, "Erdogan's Turn to the Kemalists," October 27, 2016.

¹⁹⁴ Tol and Taspinar, "Erdogan's Turn to the Kemalists," October 27, 2016.

¹⁹⁵ Tol and Taspinar, "Erdogan's Turn to the Kemalists," October 27, 2016.

¹⁹⁶ Serdar Karagoz. "The 2017 Constitutional Referendum in Turkey." Daily Sabah Centre for Policy Studies, April 2017, 25.

¹⁹⁷ Makovsky, "Erdogan's Proposal for an Empowered Presidency," March 22, 2017.

eliminated from the Constitutional Court. Lastly, “the military, for the first time, would also be subject to investigation from the State Supervisory Council, and Inspector General-like institution appointed by and attached to the presidency—an important step that would put the military on par with other executive branch agencies.”¹⁹⁸ Collectively, the actions decrease the role of the military in Turkish politics and bring the institution further under the control of the judiciary and government—two bodies already controlled by Erdogan.

Since the failed coup attempt, Turkey has functioned under emergency law and this is unique in two ways: application and duration. “The military has declared states of emergency several times in Turkey’s history, through usually after actual coups, not failed ones. Even if the aftermath of earlier coups saw greater violence- more torture, more hangings- there was the promise of an end. Martial law could be expected to come to a close; free elections would be held.”¹⁹⁹ Erdogan declared a state of emergency after a failed coup attempt that ended quickly and furthermore, he has repeatedly extended the state of emergency. Initially, the state of emergency was introduced as a temporary measure, but Erdogan stated in a May 2017 speech that the state of emergency will continue until the country achieved “welfare and peace.”²⁰⁰ Speaking to state-owned news, Erdogan reiterated: “In my country, they tried to overthrow the state, and we gave 249 martyrs, and had 2,193 injured... How dare you ask us to lift the state of emergency.”²⁰¹ He gave the speech at a conference in which he formally reaccepted his position as AKP party leader,²⁰² thus enjoying his newly approved authorities.

¹⁹⁸ Makovsky, “Erdogan’s Proposal for an Empowered Presidency,” March 22, 2017.

¹⁹⁹ Hansen, “Inside Turkey’s Purge,” April 13, 2017.

²⁰⁰ Hansen, “Inside Turkey’s Purge,” April 13, 2017.

²⁰¹ Patrick Kingsley. “Erdogan Says He Will Extend His Sweeping Rule Over Turkey.” *The New York Times*, May 21, 2017.

²⁰² Kingsley, “Erdogan Says He Will Extend His Sweeping Rule Over Turkey,” May 21, 2017.

CONCLUSIONS

Through a campaign of structural reforms, show trials, and purges, Erdogan and the AKP undermined the independence of the Turkish Armed Forces and systematically utilized a variety of narratives to bring the military under civilian control. Initially, the reforms were framed as “democratization” and were strongly endorsed by the European Union as part of Turkey’s steps towards membership. Liberal principles promote civilian control over the military, however, in taking steps to civilianize the military, Erdogan sought to weaken an adversary rather than democratize Turkey. In the 1990s, while serving as mayor of Istanbul, Erdogan “declared... that democracy was ‘a vehicle, not a goal,’ implying that one could disembark whenever it suited one’s purposes.”²⁰³ With a tepid commitment at best to democracy, the early AKP constitutional reforms seemed to indicate a more democratic Turkey, however, as this chapter demonstrates, characterizations of Erdogan’s early steps to bring the Turkish Armed Forces under civilian control as “democratizing” need reexamining. Rather than supporting the “Turkish model” for democracy in the Middle East, these efforts unveil how “democratic” reforms were weaponized to erode competing institutions for power and to eliminate potential checks on the government. Erdogan and the AKP moved to diminish the political influence of the military, thereby reducing the military’s capacity to unseat their government.

In as early as 2009, the changes undertaken in civil-military relations seemed to represent a new chapter of executive power. As Erdogan spearheaded legislation subjecting active-duty soldiers to review by civilian courts for crimes not related to their military duties, scholars began to question the capacity of the military to continue to check Erdogan. “The days of military coups are likely over, partly because the country has become far more diverse and complex and power is now more diffuse, and partly because of these

²⁰³ Cook, “How Erdogan Made Turkey Authoritarian Again.” *The Atlantic*, July 21, 2016.

AKP-led reforms.”²⁰⁴ As not only one of two key institutions capable of competing with the executive, but also the second largest army in NATO, the destabilization of the Turkish Armed Forces radiates outward in the region and had led relations with NATO to sour during an active joint coordinated effort to defeat ISIS. Turkey faces military conflicts with ISIS and the PKK and increasing military interventions in Iraq and Syria, and while the Turkish Armed Forces have begun to replenish its ranks, the composition of the military looks to predominantly favor Erdogan loyalists who are unlikely seek to remove him from power. In breaking the back of the military, Erdogan defanged one of his chief rivals.²⁰⁵

²⁰⁴ Morton Abramowitz and Henri J. Barkey. “Turkey’s Transformers.” *Foreign Affairs*, November 1, 2009.

²⁰⁵ Cagaptay, *The New Sultan*, 135.

CHAPTER 4: CONCLUSIONS

After fifteen years in power, Erdogan's reign in Turkey may only be reaching its halfway point. Changes made under the AKP might allow Erdogan to remain in power until 2034 and given how he has fundamentally restructured the Turkish political system since winning the ballot box, there is precedent for him to alter the rules again so that he remains in power for the rest of his life. Upon examining how Erdogan and the AKP utilize state institutions to consolidate power in the executive, a pattern of methods arises. First, Erdogan capitalized on EU-endorsed reforms and weaponized them to erode a competing institution for power—the military, and to eliminate potential checks on the executive. Second, a series of constitutional referendums and reforms culminating in the 2017 constitutional referendum sought to formally reshape the political system and to achieve Erdogan's end goal—an executive-style presidency with himself in full control of state resources and authorities. Third, massive purges in the judiciary and the military allowed Erdogan and the AKP to fundamentally alter the composition of two key checks on executive power and to replace the ranks of opponents and even potential opponents with loyalists.

Collectively, these methods characterize the manner in which Erdogan has consolidated power in Turkey since 2003 and they also highlight the need to reexamine “democratizing” characterizations of Erdogan's early steps to bring the Turkish Armed Forces under civilian control. When considered in the context of Turkey, these reforms demonstrate how Erdogan utilized state capacity to consolidate power in Turkey incrementally and purposefully with little regard for democratic principles and while rarely enjoying a popular mandate endorsed by over half the voting population.

Today Erdogan holds all the major offices of power simultaneously: president, commander-in-chief, and head of the party, thereby leaving no space for opponents. To oppose Erdogan is to commit treason. There have been moments of weakness including the June 2015 elections that saw AKP dominance slip, however Erdogan proved himself a shrewd politician by calling for new elections in November 2015 and regaining all of the AKP's lost seats after a massive crackdown campaign targeting the HDP opposition party.²⁰⁶ But the victory of the "yes" vote in the 2017 constitutional referendum rooted Erdogan's power in the very foundations of the state and represents a consolidation of power that is unprecedented.²⁰⁷ As Erdogan orchestrated a systematic concentration of authority in his office, he built one-way roads transferring power from the parliamentary system, the judiciary, and the military and all the roads led to President Erdogan. While Erdogan may have held "de facto" executive-style presidential power in the year prior to the referendum,²⁰⁸ the changes coming into effect in 2019 reshape the Turkish political system in Erdogan's image.

Erdogan began the game of political survival in 2003 and came into office acutely aware of which institutions could unseat him: the judiciary and the military. Informed by their history of confrontation and the genealogy of the AKP as an Islamist party, Erdogan and the AKP acted to protect their political livelihoods by eroding these key checks on government power. They enacted a targeted campaign to shift authorities to state institutions under their control and eventually to just one office—the president. Steven Cook argues that Erdogan is not the root of all Turkey's troubles, and that an underlying and deep-seated cycle of repression and rage characterizes the AKP as making a mark, but

²⁰⁶ Cook, "How Erdogan Made Turkey Authoritarian Again." *The Atlantic*, July 21, 2016

²⁰⁷ "The Vote That Will Determine the Fate of Turkey's Democracy." *The Economist*, April 15, 2017.

²⁰⁸ Orhan Corskun and Nick Tattersall. "Turkey Shifts to Presidential System, Even without Constitutional Change." *Reuters*, May 23, 2016.

by “substituting old authoritarian institutions for ones of his own.”²⁰⁹ While he characterizes the degree to which Erdogan and the AKP have changed Turkish politics and society as limited, from a structural standpoint their impact is clearly significant.

Furthermore, Cook views the history of military interventions in Turkey as a sign of weakness, and challenges presentations of the Turkish Armed Forces as robust by arguing rather the military interventions show the profound weakness and fragility of the military because it always has to intervene to keep the political system along lines they find acceptable.²¹⁰ Whereas interventions might denote institution fragility, previous interventions were at least effective in removing governments from power and the decline in the Turkish Armed Forces’s capacity to succeed in a military coup still signals an erosion of their authority.

Erdogan’s response to the 2016 coup attempt is perhaps most telling of the extent to which he has achieved his end goals. As an extraordinarily careful and shrewd politician and head of an equally efficient political party, Erdogan was suspected in the days following the failed coup attempt of having a playbook in the event of a coup. His coordinated and rapid response helped demolish what remained of competing institutions. “The military is now Erdogan’s. The military, which up this point has been autonomous unto itself, is now in chaos and subject to the control of President Erdogan.”²¹¹ Upon Erdogan’s triumph return to Istanbul after the failed coup attempt, “he declared the coup ‘a gift from God... because it will help us claim our military from members of this gang’

²⁰⁹ Steven A. Cook. “First, They Came for the Gulenists.” *Foreign Policy*, July 14, 2017.

²¹⁰ Steven Cook speaking in a CFR interview. “Turkey Update: Erdogan’s Outlook and the Consequences of the Failed Coup.” Council on Foreign Relations, July 19, 2016.

²¹¹ Steven Cook speaking in a CFR interview. “Turkey Update: Erdogan’s Outlook and the Consequences of the Failed Coup.” Council on Foreign Relations, July 19, 2016

[Gulenists].”²¹² His ability to outmaneuver his opponents calls into question whether any institutional check and balance remains in the Turkish political system or whether his personal power now exceeds all other authorities. In remaking the state in his image, Erdogan and the AKP have played a long game to ensure their political survival and in doing so, they have manipulated well-known principles of liberalism and demonstrated that “democratic” reforms can be weaponized to erode competing institutions for power and to eliminate potential checks on the government.

²¹² Steven A. Cook. “Turkey Has Had Lots of Coups. Here’s Why This One Failed.” *Washington Post*, July 16, 2016.

Bibliography

- Abramowitz, Morton, and Henri J. Barkey. "Turkey's Transformers." *Foreign Affairs*, November 1, 2009. <https://www.foreignaffairs.com/articles/turkey/2009-11-01/turkeys-transformers>.
- Ackerman, Elliot. "Atatürk Versus Erdogan: Turkey's Long Struggle." *The New Yorker*, July 16, 2016. <https://www.newyorker.com/news/news-desk/ataturk-versus-erdogan-turkeys-long-struggle>.
- Altunisik, Meliha Benli. "The Turkish Model and Democratization in the Middle East." *Arab Studies Quarterly* 27, no. 1/2 (2005): 45–63.
- Barkey, Henri. "Turkey Will Never Be the Same after This Vote." *Washington Post*, April 11, 2017. <https://www.washingtonpost.com/news/democracy-post/wp/2017/04/11/turkey-will-never-be-the-same-after-this-vote/>.
- Benhabib, Seyla. "Turkey Is about to Take Another Step toward Dictatorship." *Washington Post*, March 16, 2017. <https://www.washingtonpost.com/news/democracy-post/wp/2017/03/16/turkey-is-about-to-take-another-step-toward-dictatorship/>.
- Cagaptay, Soner. "The Coup Attempt Is Bad News for Turkey's Democracy." *Washington Post*, July 16, 2016. https://www.washingtonpost.com/opinions/global-opinions/the-coup-attempt-is-bad-news-for-turkeys-democracy/2016/07/16/8d357d28-4b64-11e6-bdb9-701687974517_story.html?utm_term=.cc24f43b1b86.
- Cagaptay, Soner. *The New Sultan: Erdogan and the Crisis of Modern Turkey*. New York: I.B. Tauris & Co. Ltd, 2017.
- Cagaptay, Soner. "Turkey's King." *Foreign Affairs*, May 8, 2016. <https://www.foreignaffairs.com/articles/turkey/2016-05-08/turkeys-king>.
- Cagaptay, Soner, and Oya Rose Aktas. "How Erdoganism Is Killing Turkish Democracy." *Foreign Affairs*, July 7, 2017. <https://www.foreignaffairs.com/articles/turkey/2017-07-07/how-erdoganism-killing-turkish-democracy>.
- Cilliler, Yavuz. "Popular Determinant on Civil-Military Relations in Turkey." *Arab Studies Quarterly* 38, no. 2 (Spring 2016): 500–520. <https://doi.org/10.13169/arabstudquar.38.2.0500>.
- Cook, Steven A. "First, They Came for the Gulenists." *Foreign Policy*, July 14, 2017. <https://foreignpolicy.com/2017/07/14/first-they-came-for-the-gulenists-turkey-coup-erdogan/>.
- Cook, Steven A. "General Erdogan's First War." Council on Foreign Relations, February 8, 2018. <https://www.cfr.org/blog/general-erdogans-first-war>.

- Cook, Steven A. "How Erdogan Made Turkey Authoritarian Again." *The Atlantic*, July 21, 2016. <https://www.theatlantic.com/international/archive/2016/07/how-erdogan-made-turkey-authoritarian-again/492374/>.
- Cook, Steven A. "No, Erdogan Was Not an Authoritarian All Along." *The Washington Post*, April 20, 2017. https://www.washingtonpost.com/posteverything/wp/2017/04/20/no-erdogan-was-not-an-authoritarian-all-along/?utm_term=.85c76a3d1e75.
- Cook, Steven A. "Recep Tayyip Erdogan: Turkey's Executive President." Council on Foreign Relations, January 17, 2017. <https://www.cfr.org/blog/recep-tayyip-erdogan-turkeys-executive-president>.
- Cook, Steven A. "RIP Turkey, 1921 – 2017." *Foreign Policy*, April 16, 2017. <http://foreignpolicy.com/2017/04/16/rip-turkey-1921-2017/>.
- Cook, Steven A. "Turkey Has Had Lots of Coups. Here's Why This One Failed." *Washington Post*, July 16, 2016. https://www.washingtonpost.com/posteverything/wp/2016/07/16/turkey-has-had-lots-of-coups-heres-why-this-one-failed/?utm_term=.78481af938e2.
- Cook, Steven A. "Turkey's Identity Crisis." *The Atlantic*, June 25, 2017. <https://www.theatlantic.com/international/archive/2017/06/turkey-erdogan-akp/531468/>.
- Corskun, Orhan and Nick Tattersall. "Turkey Shifts to Presidential System, Even without Constitutional Change." *Reuters*, May 23, 2016. <https://www.reuters.com/article/us-turkey-politics/turkey-shifts-to-presidential-system-even-without-constitutional-change-idUSKCN0YE1M3>.
- Diamond, Larry. "Facing Up to the Democratic Recession." *Journal of Democracy* 26, no. 1 (2015): 141–55. <https://doi.org/10.1353/jod.2015.0009>.
- Ekim, Sinan and Kemal Kirişçi. "The Turkish Constitutional Referendum, Explained." *Brookings*, April 13, 2017. <https://www.brookings.edu/blog/order-from-chaos/2017/04/13/the-turkish-constitutional-referendum-explained/>.
- "Erdogan: Turkey's Pugnacious President." *BBC News*, April 17, 2017. <http://www.bbc.com/news/world-europe-13746679>.
- Esen, Berk, and Sebnam Gumuscu. "Turkey: How the Coup Failed." *Journal of Democracy* 28, no. Number 1 (January 2017): 59–73.
- Esen, Berk, and Sebnem Gumuscu. "Rising Competitive Authoritarianism in Turkey." *Third World Quarterly* 37, no. 9 (September 1, 2016): 1581–1606. <https://doi.org/10.1080/01436597.2015.1135732>.
- Filkins, Dexter. "The Deep State." *The New Yorker*, March 12, 2012. <https://www.newyorker.com/magazine/2012/03/12/the-deep-state>.

- Filkins, Dexter. "Turkey's Thirty-Year Coup." *The New Yorker*, October 17, 2016. <https://www.newyorker.com/magazine/2016/10/17/turkeys-thirty-year-coup>.
- Gingeras, Ryan. "Ottoman Ghosts." *Foreign Affairs*, October 6, 2016. <https://www.foreignaffairs.com/articles/turkey/2016-10-06/ottoman-ghosts>.
- Graham, David A. "There Is No American 'Deep State.'" *The Atlantic*, February 20, 2017. <https://www.theatlantic.com/international/archive/2017/02/why-its-dangerous-to-talk-about-a-deep-state/517221/>.
- Hansen, Suzy. "Inside Turkey's Purge." *The New York Times Magazine*, April 13, 2017. <https://www.nytimes.com/2017/04/13/magazine/inside-turkeys-purge.html>.
- Kandemir, Asli. "Turkey's Top Court Declines to Lower 10 Percent Electoral Threshold." *Reuters*, January 6, 2015. <https://www.reuters.com/article/us-turkey-election-threshold/turkeys-top-court-declines-to-lower-10-percent-electoral-threshold-idUSKBN0KF1DJ20150106>.
- Karagoz, Serdar. "The 2017 Constitutional Referendum in Turkey." Daily Sabah Centre for Policy Studies, April 2017. <http://www.dailysabahcentre.com/research/the-2017-constitutional-referendum-in-turkey-14/>.
- Karaveli, Halil. "Erdogan's Journey: Conservatism and Authoritarianism in Turkey." *Foreign Affairs*, October 17, 2016. <https://www.foreignaffairs.com/articles/turkey/2016-10-17/erdogan-s-journey>.
- Keller, Josh, Iaryna Mykhyalshyn, and Safak Timur. "The Scale of Turkey's Purge Is Nearly Unprecedented." *The New York Times*, August 2, 2016. <https://www.nytimes.com/interactive/2016/08/02/world/europe/turkey-purge-erdogan-scale.html>.
- Kingsley, Patrick. "Erdogan Says He Will Extend His Sweeping Rule Over Turkey." *The New York Times*, May 21, 2017. <https://www.nytimes.com/2017/05/21/world/europe/turkey-erdogan-state-of-emergency.html>.
- Kingsley, Patrick. "Foes on the Run as Erdogan Makes Power Personal." *The New York Times*, April 6, 2017. <https://www.nytimes.com/2017/04/06/world/europe/turkey-erdogan-gulenist-movement.html>.
- Kingsley, Patrick. "Turkey in Turmoil and Chaos Since Purge Aimed at Dissenters." *The New York Times*, April 12, 2017. <https://www.nytimes.com/2017/04/12/world/europe/turkey-erdogan-purge.html>.
- Levitsky, Steven, and Lucan Way. *Competitive Authoritarianism: Hybrid Regimes After the Cold War*. New York: Cambridge University Press, 2010.
- Levitsky, Steven, and Lucan Way. "The Myth of Democratic Recession." *Journal of Democracy* 26, no. 1 (2015): 45–58. <https://doi.org/10.1353/jod.2015.0007>.

- Levitsky, Steven, and Daniel Ziblatt. *How Democracies Die*. New York: Crown, 2018.
- MacFarland, Sean. "LBJ Dean's Distinguished Speakers Series." The University of Texas, LBJ School, January 30, 2018.
- Makovsky, Alan. "Erdoğan's Proposal for an Empowered Presidency." *Center for American Progress*, March 22, 2017. <https://www.americanprogress.org/issues/security/reports/2017/03/22/428908/erdogans-proposal-empowered-presidency/>.
- "The Vote That Will Determine the Fate of Turkey's Democracy." *The Economist*, April 15, 2017. <https://www.economist.com/news/briefing/21720611-turks-are-split-over-giving-new-powers-recep-tayyip-erdogan-be-warned-he-would-use-them>.
- Tol, Gonul, and Omer Taspinar. "Erdogan's Turn to the Kemalists." *Foreign Affairs*, October 27, 2016. <https://www.foreignaffairs.com/articles/turkey/2016-10-27/erdogans-turn-kemalists>.
- "Turkey Update: Erdogan's Outlook and the Consequences of the Failed Coup." Council on Foreign Relations, July 19, 2016. <https://www.cfr.org/event/turkey-update-erdogans-outlook-and-consequences-failed-coup>.
- Uras, Umut. "'Yes' Vote Leads in Turkey Constitution Referendum," *Al-Jazeera*. April 16, 2017. <https://www.aljazeera.com/news/2017/04/vote-leads-turkey-constitution-referendum-170416151913460.html>.
- White, David, and Marc Herzog. "Examining State Capacity in the Context of Electoral Authoritarianism, Regime Formation and Consolidation in Russia and Turkey." *Journal of Southeast European & Black Sea Studies* 16, no. 4 (December 2016): 551–69.